

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CHARLENE CARTER, §

Plaintiff, §

v. § Civil Action No.  
§ 03:17-cv-02278-S

SOUTHWEST AIRLINES CO., §  
AND TRANSPORT WORKERS §  
UNION OF AMERICA LOCAL §  
556, §

Defendants. §

REMOTE ORAL AND VIDEOTAPED DEPOSITION OF  
CHARLENE CARTER  
November 20, 2020

\*\*\*\*\*  
PORTIONS OF TRANSCRIPT DESIGNATED CONFIDENTIAL:  
PAGE 132:13 THROUGH 134:6  
PAGE 134:19 THROUGH 135:10  
\*\*\*\*\*

REMOTE ORAL AND VIDEOTAPED DEPOSITION OF CHARLENE  
CARTER, located at her residence in Aurora, Colorado,  
produced as a witness at the instance of the Defendant  
Southwest Airlines Co., and duly sworn, taken in the  
above-styled and numbered cause on November 20, 2020,  
from 10:02 a.m. to 4:36 p.m., before Joseph D.  
Hendrick, Certified Shorthand Reporter in and for the  
State of Texas, reported by machine shorthand, pursuant  
to Notice and the Federal Rules of Civil Procedure and  
any provisions stated on the record or attached hereto.

Job No. 4341722

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Lauren Armstrong (Via Zoom)  
Norm Harris, Videographer (Via Zoom)

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<p>1 Q. Good morning, Ms. Carter. As I mentioned a</p> <p>2 moment ago, my name is Michael Correll and I am outside</p> <p>3 counsel representing Southwest Airlines in this matter.</p> <p>4 Ms. Carter, have you ever sat for a</p> <p>5 deposition before?</p> <p>6 A. No, I have not.</p> <p>7 Q. In that case let's go over just a couple of</p> <p>8 the basic ground rules that will make things go</p> <p>9 smoothly today. First of all, Mr. Hendrick, the</p> <p>10 reporter, just put you under oath. You will remain</p> <p>11 under oath for the duration of the deposition. That</p> <p>12 means if we take a break or if we go to lunch and come</p> <p>13 back or if for some reason the deposition continues</p> <p>14 day-to-day, then you will be under oath whenever you</p> <p>15 are testifying on the record. Do you understand that?</p> <p>16 A. Yes, I do.</p> <p>17 Q. Mr. Hendrick will be writing down</p> <p>18 everything we say. As a result, if you do a couple of</p> <p>19 things and I do a couple of things it will make for a</p> <p>20 clear record so we understand what happened here today.</p> <p>21 The first thing is, if you will let me finish my</p> <p>22 questions, I'll try to let you finish your answers so</p> <p>23 that we're not speaking over each other. Okay?</p> <p>24 A. Sounds good.</p> <p>25 Q. The second thing is, when you give answers</p>	<p>1 if you can give clear verbal answers it will make it</p> <p>2 come out more clearly on the record. So if you can say</p> <p>3 "yes" or "no" as opposed to nodding your head, shaking</p> <p>4 your head or saying uh-huh or hu-huh. Okay?</p> <p>5 A. Yes.</p> <p>6 Q. The third thing is, sometimes I ask a bad</p> <p>7 question, sometimes I ask a confusing question. If I</p> <p>8 ask a question that you don't understand or that you</p> <p>9 believe is confusing, please just let me know at any</p> <p>10 time, I'm happy to clarify or rephrase the question.</p> <p>11 Okay?</p> <p>12 A. Okay.</p> <p>13 Q. The other thing that's different today is</p> <p>14 we are in a remote deposition. In a remote deposition</p> <p>15 there's two extra things to be aware of. The first is</p> <p>16 since we're not all sitting in the same room the court</p> <p>17 reporter can't see when people enter the room and exit</p> <p>18 the room so if anyone comes and joins you during the</p> <p>19 deposition for an extended period of time, and I don't</p> <p>20 mean just passing through the room, please let us know</p> <p>21 so we can note their appearance. Okay?</p> <p>22 A. Okay.</p> <p>23 Q. Is there anyone with you in the room right</p> <p>24 now for the deposition?</p> <p>25 A. No, there's not, but I need to go open the</p>

<p style="text-align: right;">Page 9</p> <p>1 door so that my dog can come in.</p> <p>2 Q. Perfect. If you can do that right now,</p> <p>3 please go ahead and we'll just wait right here.</p> <p>4 A. Sorry.</p> <p>5 THE WITNESS: Come on.</p> <p>6 She can let herself out but she cannot let</p> <p>7 herself back in.</p> <p>8 MR. CORRELL: That's more talented than</p> <p>9 most dogs.</p> <p>10 THE WITNESS: Yeah.</p> <p>11 BY MR. CORRELL:</p> <p>12 Q. The second issue with remote depositions is</p> <p>13 since I'm not in the room with you, I can't see what</p> <p>14 you are looking at. So if you choose to access</p> <p>15 materials or receive communications from someone while</p> <p>16 we are on the record, you need to let us know. Now</p> <p>17 when we take a break, if you talk to counsel or someone</p> <p>18 else, that's entirely your business and not something</p> <p>19 we'll be intruding upon, but if you are looking at</p> <p>20 documents or receiving messages or anything like that</p> <p>21 during the deposition you need to let us know. Okay?</p> <p>22 A. Okay.</p> <p>23 MR. CORRELL: And Mr. Hendrick, I just got</p> <p>24 a message from my paralegal that apparently the</p> <p>25 videographer was delayed and so the videographer is not</p>	<p style="text-align: right;">Page 10</p> <p>1 here, which I was suspicious about. Do we need to stop</p> <p>2 and let the videographer join? I won't worry about</p> <p>3 redoing this piece of it, but I just got that message.</p> <p>4 THE REPORTER: Yes, I would say we should</p> <p>5 go off the record.</p> <p>6 MR. CORRELL: Okay.</p> <p>7 THE REPORTER: I had no indication that we</p> <p>8 were going to have a videographer, so I apologize.</p> <p>9 MR. CORRELL: Understood. No problem.</p> <p>10 Let's take about five, ten minutes while I</p> <p>11 figure out where the videographer is and we'll jump</p> <p>12 back on and pick up where we left off.</p> <p>13 (Break from 10:08 a.m. until 10:15 a.m.)</p> <p>14 VIDEOGRAPHER: We are going back on the</p> <p>15 record at 9:15 a.m.</p> <p>16 MR. CORRELL: Ms. Carter, thank you for</p> <p>17 your patience. I just want to state for the record</p> <p>18 that the first five or so minutes of the deposition</p> <p>19 were not video recorded, they were transcribed. During</p> <p>20 that period Ms. Carter was put under oath and we just</p> <p>21 covered some basic preliminaries and that's where we</p> <p>22 stopped to have the videographer join us.</p> <p>23 BY MR. CORRELL:</p> <p>24 Q. And Ms. Carter, when I left off, we had</p> <p>25 just talked about remote deposition rules. The next</p>
<p style="text-align: right;">Page 11</p> <p>1 thing is, as we are going today, if you need to take a</p> <p>2 break, please just let me know. I'm happy to stop at</p> <p>3 any time or as frequently as you need. The only thing</p> <p>4 I would ask is that if I have a question pending to you</p> <p>5 that you answer the question before we take a break.</p> <p>6 Okay?</p> <p>7 A. Okay.</p> <p>8 Q. Are you under the influence of any</p> <p>9 substance or do you have any injury or illness that</p> <p>10 would prevent you from testifying truthfully and</p> <p>11 completely today?</p> <p>12 A. No.</p> <p>13 Q. Do you have any other reason you can't</p> <p>14 testify truthfully and completely today?</p> <p>15 A. No.</p> <p>16 Q. What did you do to prepare for your</p> <p>17 deposition today?</p> <p>18 A. Just went back through some of the</p> <p>19 documents that -- like my complaint.</p> <p>20 Q. Other than your complaint, what other</p> <p>21 documents did you review?</p> <p>22 A. The interrogatories.</p> <p>23 Q. Any other documents you reviewed besides</p> <p>24 your complaint and the interrogatories?</p> <p>25 A. I believe that I was sent a link yesterday</p>	<p style="text-align: right;">Page 12</p> <p>1 and there were some documents on there that you had</p> <p>2 prepared.</p> <p>3 Q. Okay. Anything else that you reviewed to</p> <p>4 prepare for your deposition?</p> <p>5 A. No, no, sir.</p> <p>6 Q. Other than speaking with counsel, did you</p> <p>7 speak with anyone to prepare for your deposition?</p> <p>8 A. No, sir.</p> <p>9 Q. Did you review your testimony from the</p> <p>10 arbitration conducted in, I believe it was 2018, to</p> <p>11 prepare for your deposition?</p> <p>12 A. No, I did not.</p> <p>13 Q. When is the last -- have you ever reviewed</p> <p>14 the transcript of your testimony at the arbitration?</p> <p>15 A. It -- once it came out so it's been since</p> <p>16 whenever he rendered his decision.</p> <p>17 Q. So probably around in the 2019 time frame?</p> <p>18 A. Yes. Yes, sir.</p> <p>19 Q. And where do you currently reside,</p> <p>20 Ms. Carter?</p> <p>21 A. I live in Aurora, Colorado.</p> <p>22 Q. How long have you been at your current</p> <p>23 residence?</p> <p>24 A. A little over eight years.</p> <p>25 Q. And can you give us just a brief overview</p>

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1 of your educational history both prior to coming to  
2 Southwest and then any subsequent education that you  
3 have had.

4 A. I've had, oh, maybe two years of junior  
5 college.

6 Q. When was that?

7 A. Oh gosh. Back in 19 -- let's see. I  
8 graduated in '83 so it would have been like '84  
9 and '85.

10 Q. Since that time have you had any other  
11 college courses or earned any college degrees?

12 A. No, I have not.

13 Q. Do you hold any certifications or licenses?

14 A. I did. I was a dental assistant at one  
15 point.

16 Q. When was that?

17 A. Oh, that was back in 1986-'87 maybe -- No.  
18 I'm sorry, that -- no. That was in '84 and '85. While  
19 I was going through junior college.

20 Q. And that certification has been lapsed  
21 since then?

22 A. Yes, sir.

23 Q. Since leaving Southwest, have you gotten  
24 any new certifications or any new degrees?

25 A. Yes, I got my Pilates instructor's

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1 A. I was the educational director. I put the  
2 program pretty much together.

3 Q. What was the date range from when you  
4 started and left Project Purpose?

5 A. The date range -- actually I started right  
6 before I left -- or Southwest terminated me, so it  
7 would have been January of 2017.

8 Q. And when did you leave Project Purpose?

9 A. Well, and this kind of sounds funny, but  
10 there were four of us that were partners within this  
11 venture, two of us left and went on to name it, another  
12 business, and it was called Divine Intervention and  
13 we --

14 Q. Was -- oh please. Go ahead. I'm sorry.

15 A. I'm sorry. And we were trying to implement  
16 an actual academy school and that would have been like  
17 in Ferguson, St. Louis. So everything that I was doing  
18 was in the underdeveloped communities within St. Louis,  
19 Missouri.

20 Q. Is Divine Intervention the second business  
21 venture you referenced a little earlier in your  
22 testimony?

23 A. Yes, sir.

24 Q. When did you make the transition from  
25 Project Purpose to Divine Intervention?

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1 certification.

2 Q. When did you secure that?

3 A. About three months ago my class ended and  
4 my certification came through.

5 Q. So about August of 2020 sound right?

6 A. That's correct.

7 Q. Other than the Pilates certification, any  
8 other certifications that you have received since you  
9 left your employment with Southwest?

10 A. No, sir.

11 Q. Are you currently employed?

12 A. Unfortunately no, I'm not.

13 Q. When was the last time you were employed?

14 A. Last time I was actually employed and  
15 making money was at Southwest Airlines. I've had two  
16 business ventures since then.

17 Q. What was the first business venture that  
18 you just referenced?

19 A. It was called Project Purpose.

20 Q. What was Project Purpose?

21 A. It was a program for children that had  
22 either been expelled or had trouble at school, and it  
23 was an after-school program to help them get back on  
24 track so that they could go back to school.

25 Q. What was your role at Project Purpose?

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1 A. Probably six to eight months into the  
2 Project Purpose. It might have been a year. I don't  
3 know what the exact date. We were looking to get our  
4 501(c)(3) with Project Purpose. That did not go  
5 through because two of us left and created the  
6 501(c)(3) for Divine Intervention.

7 Q. Were you paid by Project Purpose?

8 A. No, I was not. It --

9 Q. Were you --

10 A. -- was a business venture that we all paid  
11 into.

12 Q. So you did not draw any form of salary from  
13 Project Purpose?

14 A. No, we weren't -- we hadn't established our  
15 501(c)(3) yet so all of us were, you know, putting in  
16 our own money and funds into the -- into the project.

17 Q. Why did you leave Project Purpose and go to  
18 Divine Intervention?

19 A. We had a bigger vision, the two of us, in  
20 regards to how we wanted to structure and implement our  
21 educational platform, and two of the other partners had  
22 different views and it just wasn't -- it just wasn't  
23 working. The --

24 Q. To your knowledge -- oh. Please go ahead.

25 A. I'm saying they just went their way and we

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1 went our way.  
 2 Q. Does Project Purpose still exist?  
 3 A. If it does, I don't know. I think they  
 4 decided to come back here to Colorado and pursue that,  
 5 but I don't think that it has gone anywhere.  
 6 Q. You said both of these ventures were in  
 7 St. Louis, correct?  
 8 A. That is correct.  
 9 Q. At some point, did you move to St. Louis to  
 10 participate in these businesses, or did you do that  
 11 from Colorado?  
 12 A. Did it from Colorado. I actually was being  
 13 housed there when I did go into St. Louis, and we did  
 14 go about every two to three months as we were  
 15 seeking -- well, basically donors and things like that  
 16 for our 501(c)(3). And then setting up the school that  
 17 we were going to open up.  
 18 Q. And so for Project Purpose, I have January  
 19 2017 and then about six to eight months. So that  
 20 sounds right?  
 21 A. Yeah, give or take, I'm not sure exactly  
 22 the dates.  
 23 Q. During that period did you seek paying  
 24 employment from any other source?  
 25 A. Not at that time because I was very much

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1 involved in getting the educational program off the  
 2 ground.  
 3 Q. Was your work with Project Purpose  
 4 full-time?  
 5 A. Pretty much, yes.  
 6 Q. When you say "pretty much," what do you  
 7 mean?  
 8 A. Well, I would say more than full-time  
 9 because I was going back and forth from here to  
 10 St. Louis.  
 11 Q. And so you transitioned to Divine  
 12 Intervention sometime in 2017 then?  
 13 A. Yeah, like I said, it's give or take, you  
 14 know, a couple of months there. It may have been right  
 15 at about a year, and transferred. I could find out  
 16 because we got our 501(c)(3) at a certain time and I  
 17 just don't know exactly the date.  
 18 Q. What -- are -- how long -- did you leave  
 19 Divine Intervention at some point or are you still  
 20 working with them?  
 21 A. No. No. Divine Intervention? No. I left  
 22 them.  
 23 Q. When did you leave Divine Intervention?  
 24 A. I would say it was last September. Not  
 25 this -- no. I'm sorry. It would have been last March,

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1 Aprilish.  
 2 Q. So when you say "last," do you mean 2019 or  
 3 2020?  
 4 A. 2020. That -- when I officially left.  
 5 Q. And when you say "officially" there, was  
 6 there some period of time where you were still listed  
 7 but not doing anything, or what do you mean by that?  
 8 A. No, that was when I resigned from my  
 9 position.  
 10 Q. Okay. What was your position at Divine  
 11 Intervention?  
 12 A. I was the educational director.  
 13 Q. Did you hold that title the entire time?  
 14 A. Yes, I did.  
 15 Q. What did you do as the educational  
 16 director?  
 17 A. I was in control of putting together all of  
 18 the curriculum that we were using in our classrooms,  
 19 getting all of the structure together to train our  
 20 teachers, putting everything together, too, as how we  
 21 structured our classrooms, and then I would oversee  
 22 the -- the actual -- once we got the school opened I  
 23 would oversee all teachers and training and so forth.  
 24 Q. Did you receive any pay for the work you  
 25 did for Divine Intervention?

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1 A. No, we did not. That was where I was -- we  
 2 were still seeking. Because it's a 501 -- 501(c)(3),  
 3 we were still seeking funding.  
 4 Q. And that's true for the entire period you  
 5 were with Divine Intervention?  
 6 A. That is correct.  
 7 Q. Why did you leave Divine Intervention?  
 8 A. We were having issues with the funding and  
 9 we had been -- we had been given a specific building  
 10 that we were going to be opening up as our school and  
 11 that fell through, and at that point it just -- it kind  
 12 of dissolved. I mean, we had put so much money into  
 13 this, I could no longer -- I could no longer do it.  
 14 Q. So is Divine Intervention still operating?  
 15 A. The partner that I was working with, I  
 16 believe that he, because he bought me out of the  
 17 501(c)(3), he is actually trying to start that I think  
 18 up in Colorado Springs. So far it has not come to  
 19 fruition, unfortunately.  
 20 Q. So when you say the partner bought you out,  
 21 what transaction occurred there?  
 22 A. Well, what I mean is he had to -- he had to  
 23 give me the money back of, you know, because I -- I  
 24 paid for half of the 501(c)(3) and got it all  
 25 implemented, so it was like \$350 I think it is that he

<p style="text-align: right;">Page 21</p> <p>1 paid me back.</p> <p>2 Q. Okay. So --</p> <p>3 A. And then took my name off the 501(c)(3).</p> <p>4 Q. So the only exchange there was he paid you</p> <p>5 \$350 back that you had previously paid into the entity?</p> <p>6 A. Yes.</p> <p>7 Q. Did anything similar happen when you left</p> <p>8 Project Purpose?</p> <p>9 A. No, because we had not gotten our 501(c)(3)</p> <p>10 set up yet.</p> <p>11 Q. In terms of workload, would you say the</p> <p>12 Divine Intervention workload was the same as what you</p> <p>13 described for Project Purpose, more than full-time?</p> <p>14 A. Yes, it was actually more so because I was</p> <p>15 spending a lot more time in St. Louis.</p> <p>16 Q. While you were working with Divine</p> <p>17 Intervention, did you seek paying employment from</p> <p>18 anywhere else?</p> <p>19 A. I did actually. I got a quote-unquote</p> <p>20 supposed interview with Delta, and then also with</p> <p>21 United Airlines as flight attendant positions.</p> <p>22 Q. And I'm sorry, you said Delta, and who was</p> <p>23 the second one?</p> <p>24 A. United.</p> <p>25 Q. What happened with the Delta Air Lines</p>	<p style="text-align: right;">Page 22</p> <p>1 application?</p> <p>2 A. Well, they sent me everything so that I</p> <p>3 could do my interview but never sent the link, and so I</p> <p>4 had corresponded between them in that time period, I</p> <p>5 would say within a three, four-week time period and</p> <p>6 never received the link. And they still don't know why</p> <p>7 to this day.</p> <p>8 But anyway, from there, you know, things</p> <p>9 have changed with hiring, unfortunately they're now</p> <p>10 letting people go; and United I did interview with</p> <p>11 them.</p> <p>12 Q. What was the result of the interview?</p> <p>13 A. I did not get the position.</p> <p>14 Q. Did they tell you why?</p> <p>15 A. No. It just said that -- thank you for</p> <p>16 applying, and thank you for interviewing, and we look</p> <p>17 forward to hopefully hearing from you again the next</p> <p>18 go-round.</p> <p>19 Q. So with the Delta and the United</p> <p>20 applications, were those ones where you just submitted</p> <p>21 one each and those are the only flight attendant</p> <p>22 applications you submitted or were there others?</p> <p>23 A. No, those were the only two at the time.</p> <p>24 Nobody -- at that time I wasn't seeking employment as</p> <p>25 in with other airlines except for those two.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Why not?</p> <p>2 A. I don't know. Those were the two on my top</p> <p>3 list. I had worked for American back in the day and</p> <p>4 was a flight attendant for them, and then came to</p> <p>5 Southwest.</p> <p>6 Q. So how many applications would you say you</p> <p>7 have submitted for flight attendant positions since you</p> <p>8 left Southwest?</p> <p>9 A. I submitted four. I submitted one to</p> <p>10 Frontier, my husband is a captain for them, and then I</p> <p>11 submitted another one to JetBlue and didn't hear</p> <p>12 anything back from either one.</p> <p>13 Q. Did you ever reapply to any of the airlines</p> <p>14 we have discussed, Delta, United, Frontier, or JetBlue?</p> <p>15 A. No, I did not, and the reason being was</p> <p>16 because of the business venture that I was in with --</p> <p>17 especially with Divine Intervention.</p> <p>18 Q. Aside from applying for flight attendant</p> <p>19 positions, is there any other paying employment you</p> <p>20 sought while you were working with Divine Intervention?</p> <p>21 A. Not -- not so much as in seeking because I</p> <p>22 was really involved in the venture of what I was trying</p> <p>23 to do with Divine Intervention. It was going to be a</p> <p>24 paid position. I had a salary already set up. But no,</p> <p>25 I did not. I was very much involved in getting that</p>	<p style="text-align: right;">Page 24</p> <p>1 started. That was -- that was my passion at that</p> <p>2 point.</p> <p>3 Q. What was the salary you were expecting at</p> <p>4 Divine Intervention?</p> <p>5 A. Around 120.</p> <p>6 Q. Thousand?</p> <p>7 A. Yes.</p> <p>8 Q. Since leaving Divine Intervention, have you</p> <p>9 sought paying employment from anyone?</p> <p>10 A. Through my certification with my Pilates,</p> <p>11 yes.</p> <p>12 Q. I'll ask you about the Pilates in a moment.</p> <p>13 Other than the Pilates, any other paying employment</p> <p>14 that you have sought since you left Divine</p> <p>15 Intervention?</p> <p>16 A. No.</p> <p>17 Q. What have you done with respect to the</p> <p>18 Pilates certification?</p> <p>19 A. Well, I got my certification and -- which</p> <p>20 was, you know, a year-long's worth of schooling, and</p> <p>21 right now with the COVID being that it is, the two</p> <p>22 studios that I was actually going to try and work with</p> <p>23 are not hiring so right now there's no real hiring</p> <p>24 within that industry due to there's -- I mean, some of</p> <p>25 my friends are losing their jobs because of this.</p>



<p style="text-align: right;">Page 25</p> <p>1 Q. Now, you started with Southwest Airlines in</p> <p>2 September of 1996, correct?</p> <p>3 A. That is correct.</p> <p>4 Q. And you left Southwest Airlines on</p> <p>5 March 14th of 2017, right?</p> <p>6 A. That is correct.</p> <p>7 Q. And from the beginning of that period until</p> <p>8 the end of that period, you held the title of flight</p> <p>9 attendant, right?</p> <p>10 A. Yes, sir.</p> <p>11 Q. And you never held any other positions with</p> <p>12 Southwest Airlines?</p> <p>13 A. No, sir.</p> <p>14 Q. Do you have the exhibit screen available to</p> <p>15 you so that I can show you some documents?</p> <p>16 A. I do.</p> <p>17 Q. Okay.</p> <p>18 A. Oop. And I don't know how to work all of</p> <p>19 this, to be quite honest with you, but I guess you can</p> <p>20 see me. Okay. So yes, I've got that.</p> <p>21 (Deposition Ex. 1 marked)</p> <p>22 BY MR. CORRELL:</p> <p>23 Q. And you should see in just a moment what</p> <p>24 will populate as Exhibit 1.</p> <p>25 A. Okay. Is that just going to pop up on my</p>	<p style="text-align: right;">Page 26</p> <p>1 screen?</p> <p>2 Q. Yes, ma'am.</p> <p>3 A. Okay.</p> <p>4 Q. It should pop into the folder for the</p> <p>5 exhibits. You may have to refresh. I am not a hundred</p> <p>6 percent certain on that.</p> <p>7 A. Okay. Well, let me refresh. Okay. It</p> <p>8 says Exhibit 1.</p> <p>9 Q. Okay. And can you open that document,</p> <p>10 please?</p> <p>11 A. I sure can. Okay.</p> <p>12 Q. Do you recognize that document?</p> <p>13 A. Yes, sir, I do.</p> <p>14 Q. What is that document?</p> <p>15 A. That is the document that they sent me</p> <p>16 stating that I was terminated.</p> <p>17 Q. And did you receive this letter close in</p> <p>18 time to the date of March 14th, 2017?</p> <p>19 A. Yes.</p> <p>20 Q. I just want to walk through a couple points</p> <p>21 in the letter. First of all, at the beginning, the</p> <p>22 first sentence, if you will read along quietly, I will</p> <p>23 read aloud. "On March 7, 2017, a fact-finding meeting</p> <p>24 was held to discuss certain messages and videos you</p> <p>25 posted on your Facebook page and sent to another</p>
<p style="text-align: right;">Page 27</p> <p>1 Southwest employee through Facebook Messenger."</p> <p>2 Did I read that correctly?</p> <p>3 A. Yes, you did.</p> <p>4 Q. Based on your understanding, is that true,</p> <p>5 was there a fact-finding meeting conducted as described</p> <p>6 on March 7, 2017?</p> <p>7 A. Yes.</p> <p>8 Q. The next sentence describes a list of</p> <p>9 individuals who attended that meeting. Do you see that</p> <p>10 sentence?</p> <p>11 A. Yes.</p> <p>12 Q. Have you had a chance to read it?</p> <p>13 A. Yes.</p> <p>14 Q. Does that accurately list the individuals</p> <p>15 who attended your fact-finding meeting?</p> <p>16 A. Yes, except that when Ed started the</p> <p>17 meeting, Denise Gutierrez -- and this is also in my</p> <p>18 fact-finding minutes on my rep -- she was introduced as</p> <p>19 an attorney for Southwest.</p> <p>20 Q. Okay. But she was present and I believe</p> <p>21 she appeared by telephone, correct?</p> <p>22 A. That is correct.</p> <p>23 Q. Is there anybody not listed who either</p> <p>24 appeared in person or via telephone at your</p> <p>25 fact-finding meeting?</p>	<p style="text-align: right;">Page 28</p> <p>1 A. No.</p> <p>2 Q. I want to take you next to the second</p> <p>3 paragraph and I will read the first sentence to you</p> <p>4 while you read along quietly. "During the meeting, you</p> <p>5 admitted you posted graphic videos of aborted fetuses</p> <p>6 on Facebook and sent the same videos in a private</p> <p>7 Facebook message to another Southwest flight</p> <p>8 attendant."</p> <p>9 Did I read that correctly?</p> <p>10 A. Yes, you did.</p> <p>11 Q. Is it true that you admitted during the</p> <p>12 fact-finding meeting that you posted graphic videos of</p> <p>13 aborted fetuses on Facebook?</p> <p>14 A. Yes.</p> <p>15 Q. Is it true that you admitted that you sent</p> <p>16 the same videos in a private message to another</p> <p>17 Southwest flight attendant?</p> <p>18 A. I sent them to Audrey Stone who was my</p> <p>19 president of the union, yes.</p> <p>20 Q. And Ms. Stone was also employed as a flight</p> <p>21 attendant by Southwest Airlines at that time, correct?</p> <p>22 A. She was employed, yes.</p> <p>23 Q. Well, I mean, my question is specific so I</p> <p>24 want to make sure the record is clear. She was</p> <p>25 employed by Southwest Airlines as a flight attendant,</p>

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1 correct?  
 2 A. Correct.  
 3 Q. The next sentence reads, "You also admitted  
 4 to sending the Flight Attendant a private message  
 5 containing a picture of individuals wearing costumes  
 6 depicting the female genitalia."  
 7 Did I read that correctly?  
 8 A. Yes, you did.  
 9 Q. Is it true that you admitted that in the  
 10 fact-finding meeting?  
 11 A. Yes, it is.  
 12 Q. Last sentence of that paragraph, "You  
 13 agreed that the pictures and videos were graphic."  
 14 Did I read that correctly?  
 15 A. Yes.  
 16 Q. Did you admit that at the fact-finding  
 17 meeting?  
 18 A. Yes.  
 19 Q. Next I want to take you to two new  
 20 additional exhibits, and I'll have you look at both of  
 21 them before we discuss them.  
 22 A. Will they just come up on the screen?  
 23 Q. Yes, ma'am. That's how all of -- that's  
 24 how I'm going to convey all of the documents to you  
 25 today.

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1 But do you recognize this document?  
 2 A. Yes, sir, I do.  
 3 Q. What is this document?  
 4 A. This is the private message that I sent to  
 5 my union president Audrey Stone.  
 6 Q. And to be clear, this document consists of  
 7 about 100 pages, right? If you scroll down.  
 8 A. I believe so, yes.  
 9 Q. And there's -- and all of these appear to  
 10 be messages that you sent to Ms. Carter, correct?  
 11 Excuse me. To Ms. Stone.  
 12 A. Yes. But I will say the only ones that I  
 13 was called in for were of the videos that I sent her.  
 14 Q. What do you mean when you say that?  
 15 A. Those were the only ones that were used in  
 16 my fact-finding meeting and also in my second step  
 17 meeting.  
 18 Q. When you say "used," what do you mean?  
 19 A. Those are the ones that I was called in  
 20 for.  
 21 Q. Well, no, and that's what I'm trying to  
 22 understand. Are these the ones that were shown to you,  
 23 what -- what was done with these documents at your  
 24 fact-finding?  
 25 A. The only ones that were shown to me were

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1 A. Okay. Okay.  
 2 Q. And you will have the full ability to look  
 3 at them as they come up and control them as you need  
 4 to.  
 5 A. Okay.  
 6 (Deposition Exs. 2 and 3 marked)  
 7 BY MR. CORRELL:  
 8 Q. So Exhibit 2 should now be available to you  
 9 if you could take a look at that, and I'll go ahead and  
 10 release Exhibit 3 as well.  
 11 A. Okay. Okay. Do I need to refresh again?  
 12 Q. Oh. There's an error here. That is not  
 13 the correct document for Exhibit 2. Give me one  
 14 moment.  
 15 We'll just go to Exhibit 3 and we'll come  
 16 back to Exhibit 2 later because I believe that's an  
 17 incorrect upload. I'll have to get that corrected when  
 18 we take a break.  
 19 A. Okay. So Exhibit 3?  
 20 Q. Yes, ma'am.  
 21 A. Okay.  
 22 Q. And so this is a fairly lengthy document.  
 23 If you want to scroll through it you're welcome to, I  
 24 have some just very simple questions once you have a  
 25 chance to familiarize yourself with it.

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1 the ones of the videos, pictures that you see. The  
 2 remaining were not -- were not a part of my  
 3 fact-finding meeting.  
 4 Q. Now, do you acknowledge that all of these  
 5 are messages that you sent to Ms. Stone?  
 6 A. Yes, as for being my president of the  
 7 union, it was.  
 8 Q. And prior to sending the messages,  
 9 beginning on the first page and continuing on to the  
 10 second page, did Ms. Stone report you to Southwest  
 11 Airlines?  
 12 A. No. As a matter of fact, we never even had  
 13 any communications.  
 14 Q. Did Ms. Stone ever respond to you with  
 15 respect to any of these messages?  
 16 A. No, she did not. She was very hard to --  
 17 to speak with.  
 18 Q. What efforts did you make to contact  
 19 Ms. Stone aside from sending these messages, if any?  
 20 A. Through emails.  
 21 Q. And --  
 22 A. And going to a, you know, a union meeting  
 23 before I became an objector.  
 24 Q. To the best of your recollection, what  
 25 emails did you send to Ms. Stone?



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<p>1 A. Regarding their -- let's see, it was</p> <p>2 regarding the National Right to Work Foundation, some</p> <p>3 of the emails that I responded to had to do with our</p> <p>4 voting, some of the other emails may have had to do</p> <p>5 with charges that were brought up against some other</p> <p>6 union members. I -- I don't recall all of them.</p> <p>7 Q. Did you send those emails from your</p> <p>8 Southwest email account or from a personal email</p> <p>9 account?</p> <p>10 A. I don't recall.</p> <p>11 Q. Have you provided copies of all of those</p> <p>12 emails to your counsel?</p> <p>13 A. Some of them I don't even think that I have</p> <p>14 anymore because they're not on my system. I -- I --</p> <p>15 I've provided everything that I have to my attorney.</p> <p>16 Q. The ones that are not on your system</p> <p>17 anymore, do you have a sense of when they were lost?</p> <p>18 A. I don't. I had a hard drive crash and they</p> <p>19 tried to get everything, as much as they could off of</p> <p>20 my old system and put it on this system.</p> <p>21 Q. When did that occur?</p> <p>22 A. Oh gosh, that was -- let's see, my son --</p> <p>23 2015 maybe. 2015-2016.</p> <p>24 Q. When did you attempt to speak to Ms. Stone</p> <p>25 at a union meeting?</p>	<p>1 A. The last time that I spoke with her was in</p> <p>2 2013, at a union meeting.</p> <p>3 Q. Can you tell me about that conversation?</p> <p>4 A. Well, I mean, it was a union meeting. It</p> <p>5 was put forth -- you know, I mean, there was a lot of</p> <p>6 topics that were there. One of them being that she was</p> <p>7 not the duly elected president. They had taken out</p> <p>8 our -- our other team of elected officials.</p> <p>9 Q. So was this a one-on-one conversation, or</p> <p>10 was this just a general meeting environment?</p> <p>11 A. Well, everybody has a moment to speak at a</p> <p>12 union meeting.</p> <p>13 Q. So were you standing up in the meeting and</p> <p>14 speaking in front of the meeting to Ms. Stone, or were</p> <p>15 you privately speaking to her on the side?</p> <p>16 A. No, it was in the meeting.</p> <p>17 Q. What did you say to Ms. Stone in that</p> <p>18 meeting?</p> <p>19 A. I don't recall everything that I said that</p> <p>20 day.</p> <p>21 Q. Do you recall anything that you said that</p> <p>22 day?</p> <p>23 A. I read out loud the bylaws that we want to</p> <p>24 change, I do remember that, and that I read out the --</p> <p>25 basically the coup that had been talked about with all</p>
Page 35	Page 36
<p>1 of them now that were representing us to take out the</p> <p>2 last group, and that would have been Stacy Martin,</p> <p>3 Chris Click, Jerry Lindermann, Dawn Wann, and Jana</p> <p>4 Deloache.</p> <p>5 Q. Did Ms. Stone respond to you?</p> <p>6 A. She did not respond. It was basically a</p> <p>7 document that I was able to read, several documents</p> <p>8 that I was able to read, regarding some of the things</p> <p>9 that were said by the people that actually now were</p> <p>10 representing us.</p> <p>11 Q. But she -- but she never had a direct</p> <p>12 response to you.</p> <p>13 A. No. As a matter of fact, she's never</p> <p>14 really had a direct response with a whole lot of</p> <p>15 people. She's very hard -- she was very hard to get</p> <p>16 ahold of.</p> <p>17 Q. Was this the first time you ever engaged</p> <p>18 directly with Ms. Stone?</p> <p>19 A. Yes, it was.</p> <p>20 Q. Would it be fair to characterize that</p> <p>21 meeting as confrontational?</p> <p>22 A. It wasn't confrontational. It was just</p> <p>23 basically stating some facts that were -- that we all</p> <p>24 knew about.</p> <p>25 Q. Were you upset?</p>	<p>1 A. Upset at just -- not upset, just more of</p> <p>2 how could they take out our elected, the way that they</p> <p>3 did it, and just be placed into office.</p> <p>4 Q. Between 1996 and 2013, had you ever had</p> <p>5 occasion to encounter Ms. Stone in any other setting?</p> <p>6 A. No.</p> <p>7 Q. Other than the emails you have described in</p> <p>8 the union meeting at 2013 and sending the messages</p> <p>9 depicted in Exhibit 3, did you make any other efforts</p> <p>10 to communicate with Ms. Stone directly?</p> <p>11 A. Just by the emails of if I disagreed with</p> <p>12 something that the union was doing or paying for, and</p> <p>13 those are, like I said, those would have been the</p> <p>14 emails that -- you know, I sent most every -- I mean,</p> <p>15 I've sent everything that I have, but no, I never</p> <p>16 actually saw her in person. There was never a reason</p> <p>17 to as in, you know, she wasn't flying online.</p> <p>18 Q. How do you know that?</p> <p>19 A. Well, you could look at her board and find</p> <p>20 out when she was flying at that time. I mean, all of</p> <p>21 us were able to see where our elected officials, unless</p> <p>22 they blocked their screens.</p> <p>23 Q. Did you go look at her board to see if she</p> <p>24 was flying?</p> <p>25 A. No, I did not go and look at her board, but</p>

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<p>1 we all knew when she was flying basically.</p> <p>2 Q. Well, and that's what I'm trying to figure</p> <p>3 out is how did you know personally, you, Charlene</p> <p>4 Carter, know when she was flying if you weren't looking</p> <p>5 at her board.</p> <p>6 A. The only times that I knew that she</p> <p>7 actually flew was when she was out campaigning for our</p> <p>8 contract, and she had posted on her -- or I guess it</p> <p>9 was on Southwest 556 web page. That's basically how we</p> <p>10 all knew how our, you know, member -- or our leaders</p> <p>11 were either flying or not flying was through the 556</p> <p>12 web page and through the -- through the LM2s which are</p> <p>13 the financials.</p> <p>14 Q. What's an LM2?</p> <p>15 A. The LM2s are the recorded financial</p> <p>16 statements, and every quarter you could actually</p> <p>17 request to see those. There was a couple of times that</p> <p>18 I had gone in and talked to John Parrott, especially</p> <p>19 since my dues were not being collected and put into my</p> <p>20 account properly at one point.</p> <p>21 Q. Now, a union officer can fly trips for pay</p> <p>22 while serving as a union officer, correct?</p> <p>23 A. Oh, yes. Yes.</p> <p>24 Q. So how do you know that Ms. Stone was not</p> <p>25 flying trips for pay?</p>	<p>1 A. Well, I knew she was at some point because</p> <p>2 they would post it when they were flying.</p> <p>3 Q. So your understanding was that any time</p> <p>4 Ms. Stone did not post that she was flying and working</p> <p>5 as a flight attendant, she was not doing so?</p> <p>6 A. No. She has a full-time job within the</p> <p>7 union office.</p> <p>8 Q. Going back to Exhibit 3, if we look at the</p> <p>9 first page and the second page, those both appear to be</p> <p>10 videos; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Are they videos?</p> <p>13 A. They are videos, yes.</p> <p>14 Q. Now, when an individual goes into Facebook</p> <p>15 Messenger and opens it, those videos play</p> <p>16 automatically, don't they?</p> <p>17 A. No, they do not.</p> <p>18 Q. What is your basis for disputing that those</p> <p>19 videos automatically begin playing when you open the</p> <p>20 message?</p> <p>21 A. You have to click on the button that plays</p> <p>22 it.</p> <p>23 Q. You were present at the arbitration in</p> <p>24 2018, correct?</p> <p>25 A. That is correct.</p>
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<p>1 Q. And you were present for Audrey Stone's</p> <p>2 testimony about those videos, correct?</p> <p>3 A. That is correct.</p> <p>4 Q. And you were present when she testified</p> <p>5 that when she opened Facebook, those began playing,</p> <p>6 correct?</p> <p>7 A. They had to turn those videos on to play</p> <p>8 them.</p> <p>9 Q. So you dispute her prior testimony that</p> <p>10 those played automatically when she opened the</p> <p>11 messenger window to your messages?</p> <p>12 A. That is correct. Any time you open up a</p> <p>13 message, you have to click on the actual message for it</p> <p>14 to play.</p> <p>15 Q. Why did you send these messages to</p> <p>16 Ms. Stone?</p> <p>17 A. They had participated in a march, it was</p> <p>18 after President Trump was elected, they went to DC, and</p> <p>19 the main sponsor for that march was Planned Parenthood.</p> <p>20 The entire time everything was -- or through that march</p> <p>21 was all pretty much to do with reproductive rights, and</p> <p>22 they went on our dime, as in union dues. They paid</p> <p>23 for -- we paid for their food, their travel, their</p> <p>24 lodging, and whatever incidentals that they did there.</p> <p>25 The union membership was not informed prior to them</p>	<p>1 going.</p> <p>2 They took about 20 women and marched at</p> <p>3 this march, which I felt that -- and along with a lot</p> <p>4 of others, felt that this was inappropriate, as in</p> <p>5 representing us as, you know, careered flight</p> <p>6 attendants, and she and these women went out and there</p> <p>7 was a campaign and you can look it up, they wore</p> <p>8 pink -- and they're called pussyhats -- and they also</p> <p>9 marched with a banner that represented that they were</p> <p>10 supporting or marching for Southwest Airlines Flight</p> <p>11 Attendants Local 556, and that march was supported and</p> <p>12 funded by, and I know my union also funds money to</p> <p>13 Planned Parenthood, for abortions.</p> <p>14 Q. Now, you've previously testified and</p> <p>15 admitted that the women's march was not exclusively</p> <p>16 about abortion, correct?</p> <p>17 A. That was the main subject.</p> <p>18 Q. And what is your basis for contending that</p> <p>19 the primary purpose of the women's march was to address</p> <p>20 reproductive rights?</p> <p>21 A. That is what Planned Parenthood was there</p> <p>22 for, and if you listened to the -- Cecile Richards who</p> <p>23 is -- who was the CEO or president of Planned</p> <p>24 Parenthood, that was the main focus on that march.</p> <p>25 Q. And what were you hoping to accomplish when</p>

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<p>1 you sent these messages to Ms. Stone?</p> <p>2 A. Honestly, I was hoping that she would</p> <p>3 actually contact me so that we could finally talk in</p> <p>4 regards to how they spend our money.</p> <p>5 Q. I'd like to direct your attention to</p> <p>6 page 59, and they're a little hard to read because</p> <p>7 there's images underneath them you can see in the lower</p> <p>8 right-hand corner, and 596 on the Exhibit 3, so the</p> <p>9 first two pages.</p> <p>10 A. Okay. Five -- so the first two pages.</p> <p>11 Okay.</p> <p>12 Q. Where on page 595 do you ask Ms. Stone to</p> <p>13 engage with you in a discussion about reproductive</p> <p>14 rights or the women's march?</p> <p>15 A. I don't specifically ask her.</p> <p>16 Q. What about on page 596 with the second</p> <p>17 abortion video, where there do you invite her, ask her</p> <p>18 to reach out and contact you?</p> <p>19 A. This all had to do with TWU and the local</p> <p>20 union that we had. It was all about -- I didn't ask</p> <p>21 her specifically, but it -- it was sponsored by our</p> <p>22 union.</p> <p>23 Q. But your sworn testimony under oath today</p> <p>24 is that in sending these two videos but not asking her</p> <p>25 to contact you, you were trying to get her to contact</p>	<p>1 you?</p> <p>2 A. Yes, as our president of our union, yes.</p> <p>3 Q. What do you think motivated Ms. Stone to</p> <p>4 report you to Southwest Airlines?</p> <p>5 MR. GILLIAM: Objection. Speculation. You</p> <p>6 can answer.</p> <p>7 A. There have been issues within our union for</p> <p>8 quite some time. We were never being turned in for</p> <p>9 anything until Audrey Stone and her team came into</p> <p>10 office. Social media was never a issue until they</p> <p>11 became in office. There was supporters of the Stone</p> <p>12 administration and there were objectors to the Stone</p> <p>13 administration, and most of us that were vocal against</p> <p>14 the Stone administration were turned in and either</p> <p>15 suspended or we had people fired. It was to shut us</p> <p>16 up. And it went on for quite some time.</p> <p>17 BY MR. CORRELL:</p> <p>18 Q. So is it your belief then that Ms. Stone</p> <p>19 would not have reported you if you were not a union</p> <p>20 objector?</p> <p>21 MR. GILLIAM: Objection. Calls for</p> <p>22 speculation.</p> <p>23 A. Yes.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. What is your basis for that belief?</p>
Page 43	Page 44
<p>1 A. If I would have not been an objector, she</p> <p>2 would have been able to file charges against me and</p> <p>3 then I would have had a trial, which I would have had</p> <p>4 to have paid for, and then they would have put me in</p> <p>5 bad standing. The only way that they could go after me</p> <p>6 at this point was to get me fired.</p> <p>7 Q. So just so I understand then, Ms. Stone's</p> <p>8 only option, because you were an objector, was to go to</p> <p>9 the company as opposed to going through the union --</p> <p>10 MR. GILLIAM: Objection --</p> <p>11 BY MR. CORRELL:</p> <p>12 Q. -- if she wanted -- if she wanted to</p> <p>13 pursue --</p> <p>14 MR. CORRELL: Let me finish, counsel, I</p> <p>15 wasn't finished with my question.</p> <p>16 MR. GILLIAM: Sure, sure. I'm sorry. I</p> <p>17 thought you were done.</p> <p>18 MR. CORRELL: Let -- I'll just rephrase it.</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. Based on your understanding as a flight</p> <p>21 attendant, former member of TWU 556, if Ms. Stone felt</p> <p>22 she was being intimidated by these images, because you</p> <p>23 were an objector, did she have anywhere else she could</p> <p>24 report it?</p> <p>25 MR. GILLIAM: Objection. Incomplete</p>	<p>1 hypothetical.</p> <p>2 A. If Ms. Stone were the president of our</p> <p>3 union -- which she was -- and this was directly a union</p> <p>4 per se business because this is what our union</p> <p>5 represented at this march, this should have been</p> <p>6 handled within the union. It has never been the</p> <p>7 practice until Audrey Stone and her administration, had</p> <p>8 it ever been the practice to turn union members in to</p> <p>9 the company when it re -- when it related to union</p> <p>10 business, and this was clearly union business when they</p> <p>11 took these 20 women to this march and represented us as</p> <p>12 flight attendants. It was our union president who I</p> <p>13 sent this message to, and it refers to Local 556 and</p> <p>14 TWU. This had nothing to do with her as an individual.</p> <p>15 It had everything to do with how the union was</p> <p>16 conducting our business and -- and using our money.</p> <p>17 BY MR. CORRELL:</p> <p>18 Q. So is it your position then that because</p> <p>19 she was the president of the union, no matter what you</p> <p>20 did, she shouldn't report you to Southwest Airlines?</p> <p>21 A. When they take office, they, under oath,</p> <p>22 swear to hold up the constitution under TWU to never</p> <p>23 harm a member. Now, I was an objector, but I also</p> <p>24 paid, still, union dues, which they used to go to this</p> <p>25 march, and we have always, until their administration,</p>

<p style="text-align: right;">Page 45</p> <p>1 been able to voice our objections in any way, whether</p> <p>2 it be through a union meeting, through emails, or</p> <p>3 through -- now, because we have the ability to do it</p> <p>4 through Facebook messaging, which the union had used --</p> <p>5 this was strictly regarding how they were spending our</p> <p>6 money and what they were doing to represent us as a</p> <p>7 whole. They did not represent every union person at</p> <p>8 this march. And under the rules of our constitution I</p> <p>9 believe it was -- is what it is, we have our -- we have</p> <p>10 freedoms to speak because we actually pay them to</p> <p>11 represent us.</p> <p>12 Q. So if you had sent her messages threatening</p> <p>13 her harm would it have been appropriate for her to</p> <p>14 report you to Southwest Airlines?</p> <p>15 MR. GILLIAM: Objection. Calls for</p> <p>16 speculation.</p> <p>17 A. If anybody threatens anybody harm, if</p> <p>18 that's how she felt, then she should have reported me</p> <p>19 to the police.</p> <p>20 BY MR. CORRELL:</p> <p>21 Q. So the answer to my question is no, you do</p> <p>22 not believe she should have reported you to Southwest</p> <p>23 Airlines if you threatened her harm?</p> <p>24 MR. GILLIAM: Objection. Vague.</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 46</p> <p>1 BY MR. CORRELL:</p> <p>2 Q. Let me ask it again just to make the record</p> <p>3 clear.</p> <p>4 Had you sent Ms. Stone a message that said,</p> <p>5 "I am going to harm you," is it your view, based on</p> <p>6 what you have testified to today, that it would be</p> <p>7 inappropriate for her to report you to Southwest</p> <p>8 Airlines?</p> <p>9 MR. GILLIAM: Objection. Incomplete</p> <p>10 hypothetical.</p> <p>11 A. She should report me if she is afraid of me</p> <p>12 personally harming her, she should send it to the</p> <p>13 police.</p> <p>14 MR. CORRELL: Move to strike as</p> <p>15 non-responsive.</p> <p>16 BY MR. CORRELL:</p> <p>17 Q. I am asking a very specific question. I</p> <p>18 understand that you would have her report it to the</p> <p>19 police. Would it be inappropriate for her to also</p> <p>20 report it to Southwest Airlines?</p> <p>21 MR. GILLIAM: Objection, incomplete.</p> <p>22 A. Yes, it would be inappropriate to send it</p> <p>23 to Southwest Airlines.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. Okay. Thank you.</p>
<p style="text-align: right;">Page 47</p> <p>1 A. This is union business.</p> <p>2 Q. If -- if you were to send a message to a</p> <p>3 union officer who is African-American including the N</p> <p>4 word, would it be inappropriate for that person to</p> <p>5 report that to Southwest Airlines?</p> <p>6 MR. GILLIAM: Objection. Incomplete</p> <p>7 hypothetical.</p> <p>8 A. It's union business, it would be handled</p> <p>9 through the union.</p> <p>10 MR. CORRELL: Mr. Reporter, can you please</p> <p>11 restate the question.</p> <p>12 BY MR. CORRELL:</p> <p>13 Q. Mrs. Carter, I need you to answer the</p> <p>14 questions I'm asking.</p> <p>15 A. No, they should not take it to Southwest.</p> <p>16 It's union business.</p> <p>17 Q. So no matter what happens between an</p> <p>18 objector and a union officer, the union officer should</p> <p>19 never report it to Southwest Airlines?</p> <p>20 MR. GILLIAM: Objection. Incomplete</p> <p>21 hypothetical.</p> <p>22 MR. CORRELL: It's not a hypothetical,</p> <p>23 Counsel.</p> <p>24 A. No, they should not take it to Southwest</p> <p>25 Airlines. If it regards to union business there are</p>	<p style="text-align: right;">Page 48</p> <p>1 channels within our union that would take care of that.</p> <p>2 BY MR. CORRELL:</p> <p>3 Q. What channel was available to Ms. Stone,</p> <p>4 since she could not have a union trial?</p> <p>5 A. I'm sure she could call me in and I'm sure</p> <p>6 we could have had a discussion with legal counsel.</p> <p>7 That is the -- one of the biggest reasons that we have</p> <p>8 an attorney. I'm sure there are other channels that</p> <p>9 she could used. I know if I were the president, I</p> <p>10 would have not turned somebody in.</p> <p>11 Q. What other channels were available to her?</p> <p>12 A. To bring me into the office and speak to me</p> <p>13 instead of sending this to Southwest Airlines. There</p> <p>14 are other channels, just like she had quoted about not</p> <p>15 turning other flight attendants in and that would have</p> <p>16 been -- oh, I forget what the -- the -- instead of --</p> <p>17 oh, I can't think of the name of it. But where you can</p> <p>18 actually handle disputes, there is a mechanism there.</p> <p>19 Q. Now, you have no problem, yourself,</p> <p>20 reporting other flight attendants to Southwest</p> <p>21 Airlines, correct?</p> <p>22 A. I have only reported one flight attendant</p> <p>23 to Southwest Airlines and that was due to a direct</p> <p>24 threat with the word "execution."</p> <p>25 Q. Now, that direct threat was made by Brian</p>

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<p>1 Talbert, correct?</p> <p>2 A. That is correct.</p> <p>3 Q. And he was talking about the objectors from</p> <p>4 the union, right?</p> <p>5 A. Yes, he was.</p> <p>6 Q. Did you call the police about that?</p> <p>7 A. I believe Greg Hofer did because he</p> <p>8 actually used his name within that context. He made a</p> <p>9 direct threat to him.</p> <p>10 Q. Do you know what the police did with that?</p> <p>11 A. That, I do not know. You would have to ask</p> <p>12 Greg Hofer.</p> <p>13 Q. Why didn't you contact the police?</p> <p>14 A. He didn't make a direct threat to me</p> <p>15 personally; otherwise I would have.</p> <p>16 Q. Then why did you report him to Southwest</p> <p>17 Airlines?</p> <p>18 A. Because the execution was -- it was after</p> <p>19 9/11, and when you are wanting to execute somebody,</p> <p>20 that either means you want to harm them physically or</p> <p>21 you want to get them fired.</p> <p>22 Q. Which did you believe it was?</p> <p>23 A. Either way harms either somebody</p> <p>24 financially within their career or it harms somebody</p> <p>25 physically.</p>	<p>1 Q. Which threat did you believe he was making?</p> <p>2 For a physical harm or to get somebody terminated?</p> <p>3 MR. GILLIAM: Objection. Calls for</p> <p>4 speculation. You can answer.</p> <p>5 A. Knowing Brian Talbert, it would be to get</p> <p>6 somebody fired.</p> <p>7 BY MR. CORRELL:</p> <p>8 Q. So why did you report that to Southwest</p> <p>9 Airlines?</p> <p>10 A. Because he and others were putting out a</p> <p>11 list and he had made a direct threat to harm us, as in</p> <p>12 flight attendants, with our careers.</p> <p>13 Q. Because you were objectors, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Wasn't that union business?</p> <p>16 A. Yes. And nobody did anything about it in</p> <p>17 the union.</p> <p>18 Q. Did you report it to the union?</p> <p>19 A. I believe we all reported it to the union</p> <p>20 with a big letter.</p> <p>21 Q. Did you personally and individually make a</p> <p>22 complaint to the union about this posting on Facebook?</p> <p>23 A. Yes, I did.</p> <p>24 Q. What came of it?</p> <p>25 A. Nothing.</p>
Page 51	Page 52
<p>1 Q. When did you make that complaint to the</p> <p>2 union?</p> <p>3 A. That would have been the year that this</p> <p>4 happened. I do not recall the actual year that it</p> <p>5 happened. I think it was 2015.</p> <p>6 Q. How long after -- please go ahead.</p> <p>7 A. I'm not sure on the exact date.</p> <p>8 Q. How long after reporting Mr. Talbert to the</p> <p>9 union did you wait before contacting Southwest</p> <p>10 Airlines?</p> <p>11 A. That, I don't recall.</p> <p>12 Q. Now, in looking at, again, Exhibit 3,</p> <p>13 page 595 and 596, you previously admitted under oath</p> <p>14 that you understand that the manner of your messages</p> <p>15 was unacceptable, correct?</p> <p>16 A. The manner in which my messages were</p> <p>17 unacceptable, can you clarify that?</p> <p>18 Q. Sure. You have previously admitted under</p> <p>19 oath that sending videos of aborted fetuses and using</p> <p>20 the language that you used in these messages was</p> <p>21 unacceptable --</p> <p>22 MR. GILLIAM: Objection, vague.</p> <p>23 A. And where do you find that?</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. I'm asking if you recall the testimony.</p>	<p>1 A. No, I do not.</p> <p>2 Q. Do you dispute that?</p> <p>3 A. I can't dispute something if I don't know.</p> <p>4 Q. Okay. As you sit here today, do you agree</p> <p>5 that these messages in their manner -- not the fact</p> <p>6 that they're talking about being pro life -- but the</p> <p>7 way you communicated with Ms. Stone was inappropriate?</p> <p>8 MR. GILLIAM: Objection. Vague.</p> <p>9 A. No, I do not.</p> <p>10 BY MR. CORRELL:</p> <p>11 Q. Okay. You testified at your own</p> <p>12 arbitration hearing, correct?</p> <p>13 A. Yes, I do -- I did.</p> <p>14 Q. You were -- and you recall that you were</p> <p>15 under oath at that hearing, correct?</p> <p>16 A. Yes.</p> <p>17 Q. And to the best of your ability you</p> <p>18 testified truthfully at that hearing, correct?</p> <p>19 A. Yes.</p> <p>20 Q. I am going to direct you to what will be</p> <p>21 introduced as Exhibit Number 4.</p> <p>22 (Deposition Ex. 4 marked)</p> <p>23 BY MR. CORRELL:</p> <p>24 Q. I will represent to you that this is an</p> <p>25 excerpt of the --</p>



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1 A. I don't have -- I don't have Exhibit  
2 Number 4.

3 Q. Sure. It should populate in just a moment.

4 A. Okay. I have it. I've got it.

5 Q. And I will represent to you that this is an  
6 excerpt of volume 2 of the deposition -- of the  
7 arbitration transcript --

8 A. Okay.

9 Q. -- taken on December 8th, 2017. It has  
10 been excerpted to include only your testimony but all  
11 of your testimony. I would like to direct you  
12 specifically to page 359 using the page numbers in the  
13 upper right-hand corner.

14 A. Okay. Okay.

15 Q. And if we look beginning at line 8 through  
16 line 24, can you read that quietly to yourself and  
17 please tell me when you have finished.

18 A. Okay.

19 Q. So in this testimony when your counsel was  
20 questioning you, you were asked if you would send the  
21 same messages again in the future and you say you would  
22 not, correct?

23 A. I would not use the Facebook Messenger. I  
24 would walk these into her office.

25 Q. So your sworn testimony today is when you

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1 say, "I realize this is a mistake. I realize that I  
2 need to do it in a different manner, and I'm sorry for  
3 the manner that I did send it through and I take full  
4 responsibility for it," you meant you would walk  
5 pictures of abortions in to Ms. Stone?

6 A. I would have gone into her office instead  
7 and had a meeting with her at that point, because this  
8 would have never happened as in getting me fired, they  
9 used the social media policy in this to get me fired.  
10 If this would have been at a union meeting, which they  
11 get heated and things are said and things are produced  
12 in union meetings, I would have never been fired.

13 Q. So when you testified before the arbitrator  
14 under oath, "I'm sorry for the manner that I did send  
15 it through," what did you mean?

16 A. I'm sorry for the manner that it was sent  
17 through a Facebook Messenger.

18 Q. So you were not apologizing for the tenor  
19 of the messages?

20 A. When she was at the march, she saw these  
21 exact same type of pictures through the march because  
22 they were on big screens, and there is no way, unless  
23 she shielded her face through the entire march, would  
24 she have not seen some of these exact, if not more in  
25 detail.

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1 So the only reason I believe she turned me  
2 in and the way that she could get me fired was due to  
3 that it fell under the social media policy. I could  
4 have taken these pictures in to a union meeting, if I  
5 was not an objector, and been able to do the exact same  
6 thing and show her and not have been fired.

7 MR. CORRELL: I object. I move to strike  
8 as non-responsive.

9 Mr. Hendrick, can you please read back my  
10 last question?

11 THE REPORTER: Question: "So you were not  
12 apologizing for the tenor of the messages?"

13 A. I apologized for -- if in any way that it  
14 harmed her personally, yes. Am I sorry that I have a  
15 very strong objection to them going to a Planned  
16 Parenthood march? I'm not sorry for my belief system  
17 in that we should not be represented in that manner.  
18 Am I sorry that if it harmed her in any way? Yes.

19 Q. So that's all you meant when you said in  
20 front of the arbitrator under oath, "I'm sorry for the  
21 manner that I did send it through"?

22 A. I'm sorry if it harmed her in a manner of  
23 the way I sent it to her, yes.

24 Q. And by manner you just mean through  
25 Facebook Messenger?

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1 A. The only way that she could get me fired  
2 was through the social media policy. If this were have  
3 been -- if this had been at a union meeting, this would  
4 have never come to me being fired.

5 Q. Now, she didn't get you fired exclusively  
6 under the workplace bullying -- or excuse me, under the  
7 social media policy, did she?

8 A. That was what I was called in for, yes.

9 Q. I'd like to direct you back to Exhibit 1.

10 A. Okay. They're not pulling up so you'll  
11 have to give me a second.

12 Q. Please take your time.

13 A. I don't have 1. I have 4. That's all  
14 that's showing up.

15 Q. If you go back to the folder labeled Marked  
16 Exhibits, it should prevent -- present you with all  
17 four exhibits. You may have to refresh the folder by  
18 clicking on the folder icon.

19 A. Okay. That -- okay. That's what I did.  
20 I'm still only seeing Number 4.

21 Q. So on the left-hand side of the screen, you  
22 should have a file tree.

23 A. Mm-hmm.

24 Q. On the right-hand side of the screen you  
25 should have icons for PDFs and you're saying you only



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1 see Exhibit 4, you don't see the other three?

2 A. Yeah, no, there's -- there's only number 4.

3 Q. Okay. Let's try refreshing the browser.

4 A. And that's what I did do. I've done that

5 twice.

6 Q. Okay.

7 A. I just did it again. Let's see if it shows

8 back up. Now I have nothing in that folder.

9 Q. Let's try this. On the left-hand file tree

10 do you see the folder labeled Deposition of Charlene

11 Carter?

12 A. Yes.

13 Q. Let's click on that.

14 A. Oh. There you go. Okay. So go to 1?

15 Q. Yes, ma'am.

16 A. Okay.

17 Q. Now your termination references -- your

18 termination letter references two additional policies,

19 correct, beyond the social media policy?

20 A. That is correct.

21 Q. It references both a workplace bullying and

22 hazing policy and Southwest's policy concerning

23 harassment, sexual harassment, discrimination and

24 retaliation, right?

25 A. Mm-hmm, yes.

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1 "can't wait to see you back on the line." What did you

2 mean by that?

3 A. She is paid by all of us and the things

4 that they'd been doing a lot of us did not agree with,

5 and we would be happy to see her back on -- on line as

6 in not having to pay her through our union dues.

7 Q. Do you understand how that could be

8 perceived as a threat?

9 MR. GILLIAM: Objection, form. Calls for

10 speculation.

11 A. No. No, I do not. She -- I believe she

12 just needed to start flying again and us not paying her

13 for the things that we didn't agree with them doing.

14 If she wanted to go to a march such as this, pay for it

15 yourself.

16 BY MR. CORRELL:

17 Q. She was also in Washington for the women's

18 committee meeting of the TWU, correct?

19 A. That is correct.

20 Q. When did that conclude?

21 A. I believe on Thursday. And I'm going to

22 make reference to this. There were minutes, meeting

23 minutes before this that the executive board put forth

24 that they were going to this march. This march was

25 already set up and planned, and during their executive

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1 Q. Both of those policies were addressed

2 during your fact-finding, were they not?

3 A. During the fact-finding? Very small on the

4 bullying/hazing. It was mainly social media.

5 Q. What is your basis for making that

6 statement?

7 A. My -- well, I can't remember because I'd

8 have to read back into my -- into my fact-finding

9 notes.

10 Q. So as you sit here today, without

11 refreshing your memory, you cannot recall?

12 A. Correct.

13 Q. Do you know if Ms. Stone reported you for

14 bullying?

15 A. I believe she did, yes.

16 Q. So she didn't report you just for social

17 media issues?

18 A. She reported me also as just being a flight

19 attendant at Southwest Airlines.

20 Q. What do you mean by that?

21 A. She never referenced that this was due to a

22 planned union march and she never referenced that she

23 was the president of the union.

24 Q. In one of your messages to Ms. Stone

25 associated with the abortion videos, you tell her, you

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1 meetings, they were knitting their pink pussyhats for

2 that march.

3 Q. Did they state why they were going to the

4 march?

5 A. They stated they were going to -- no, I

6 don't believe they did in the minutes. It was Jessica

7 Parker and all of them that led the women's committee,

8 and Audrey was part of that.

9 Q. At any point did --

10 A. They went on either a Thursday or a Friday,

11 and then the March was on Saturday. But the whole

12 reason they were going to that meeting was to set up

13 for that march.

14 Q. So your testimony is that but for the

15 women's march they would not have attended the women's

16 committee meeting?

17 A. The women's committee meeting was set up

18 because of this march.

19 Q. What is your basis for that assertion?

20 A. In the executive board minute meeting -- or

21 minutes prior to that march.

22 Q. So TWU International only set up a women's

23 committee meeting in Washington, D.C., because of this

24 meeting?

25 A. The local, our local representatives within

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1 the minutes -- the meeting minutes prior to this march,  
 2 they knew they were going to the march. It was the  
 3 whole reason to have this meeting at the same time so  
 4 that they could participate in this march.  
 5 Q. Who set the meeting in Washington, D.C.?  
 6 A. I don't know exactly who set the meeting  
 7 up, but I do know that the main representatives for  
 8 that at the time were Audrey Stone and Jessica Parker,  
 9 I do believe.  
 10 Q. The meeting in Washington, D.C., of the  
 11 women's committee was hosted by TWU International for  
 12 women's committees across the country, correct?  
 13 A. I believe so, yes. And their objective was  
 14 to go to the march.  
 15 Q. Who? Who is "their"?  
 16 A. I don't know who else was there in the --  
 17 Q. Hold on, let me say it differently --  
 18 A. But from what I have seen, it is our  
 19 leadership at Southwest Airlines Local 556.  
 20 Q. When you say it is "their objective," who  
 21 are you referring to?  
 22 A. Local 556 within their meeting minutes  
 23 prior to the march, they speak about how they're  
 24 getting ready for the women's committee meeting and the  
 25 march and that they will there -- be there to help set

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1 thankful they didn't dress like vaginas?  
 2 A. Yes. But that yet representing us with the  
 3 pink pussyhats was not what I would consider very  
 4 professional.  
 5 Q. The pink pussyhats are designed to look  
 6 like cat ears, aren't they?  
 7 A. No, they're not.  
 8 Q. They're designed to look anatomically like  
 9 a vagina?  
 10 A. That is correct.  
 11 Q. What is your basis for that assertion?  
 12 A. There was a whole campaign, and I -- I know  
 13 that I sent this information to my attorney, that the  
 14 women that were wearing those was to depict the  
 15 anatomical version of a pussy.  
 16 Q. And your sworn testimony is you believe  
 17 that a pussyhat looks anatomically like a vagina?  
 18 A. That is what they were worn for.  
 19 Q. Is that what it looks like?  
 20 A. That is what it depicts.  
 21 Q. So in your opinion, the pink pussyhats look  
 22 anatomically like a vagina?  
 23 A. As a hat, yes.  
 24 Q. Was your objection to the hats also part of  
 25 what you claim were your religious beliefs?

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1 up for the march.  
 2 Q. Did anything in the minutes say that they  
 3 were going to march for abortion?  
 4 A. No, not specifically.  
 5 Q. Did anything in the minutes say why they  
 6 were going to march?  
 7 A. It just said they were going to the march  
 8 and they were going to be there to help set up.  
 9 Q. You also chose to send Ms. Stone an image  
 10 via Facebook Messenger of women wearing what we have  
 11 called in earlier proceedings vagina headdresses. Do  
 12 you recall that?  
 13 A. Yes, I do.  
 14 Q. Why did you send that image to her?  
 15 A. Because through the march, they -- there  
 16 were many -- I don't know how many -- but many that  
 17 were depicted, even small children which I find very  
 18 disturbing, in homemade costumes that depicted a  
 19 vagina, and I was just thankful that they did not dress  
 20 representing us as flight attendants who I believe are  
 21 professional, you know, it's a career for us, but yet  
 22 they did don the pink pussyhats.  
 23 Q. So I'm not following your answer there.  
 24 You sent her pictures of women wearing anatomically  
 25 correct vaginas on their heads because you were

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1 A. I don't believe -- yes, I don't believe  
 2 that women should be -- if you are going to a women's  
 3 march and you are in support of women, I don't believe  
 4 that you should be representing us in such a manner  
 5 wearing pink pussyhats.  
 6 Q. Where does that derive from your religious  
 7 beliefs?  
 8 A. Where does that derive from my religious?  
 9 That's more of an integrity and professional opinion.  
 10 I don't believe that we should be representing  
 11 ourselves as a sexual -- I -- I don't even know how to  
 12 word that.  
 13 Q. So is it part of your claim in this lawsuit  
 14 that the -- your objections to the pussyhats was you  
 15 were reaching out because you were furthering your  
 16 religious beliefs?  
 17 A. Yes.  
 18 Q. Okay. What religious belief?  
 19 A. You don't go around wearing pink pussyhats  
 20 on your head as -- as --  
 21 Q. How does that square with your religious  
 22 belief system --  
 23 A. I don't know how to absolutely answer that  
 24 religious belief. I know where you're going with this.  
 25 I have to word this in a way I -- I honestly don't

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1 know, to be quite honest with you. All I know is that  
2 being a Christian, I would not wear a pink pussyhat  
3 marching in a Planned Parenthood march.

4 Q. But being a Christian you believe it is  
5 acceptable to send pictures of vaginas to another  
6 employee?

7 A. When you go to a march and you wear a pink  
8 pussyhat and you are surrounded by other people that  
9 are marching in such costumes, yes, I would have  
10 never -- I believe that that holds true to my Christian  
11 values. I wouldn't be there marching with women --

12 Q. My question was different, Ms. Carter. My  
13 question was, but you believe it is within your  
14 Christian beliefs to send a picture of anatomically  
15 correct vaginas around the faces of women to another  
16 individual?

17 A. When she donned the pink pussyhat and  
18 represented us as flight attendants at this march and  
19 marched with other women, yes, at this point for me it  
20 was a -- a direct -- it was a disgusting act as far as  
21 I'm concerned, and my belief system, yeah, I -- I  
22 wanted her to know that that's how I felt that it was a  
23 very disgusting depiction of who I am as a member and  
24 that she was out there donning the hats that they did  
25 wear and marching with others.

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1 A. I didn't?

2 Q. No, you did not. You did not keep your  
3 fact-finding proceedings confidential, did you, at the  
4 time that you were still going through the  
5 fact-finding?

6 A. I spoke to my representative and I spoke to  
7 the people at the union, Beth Ross.

8 Q. But you also contacted other people to tell  
9 them that Audrey Stone was the one that reported you,  
10 didn't you?

11 A. That was prior to my fact-finding meeting.

12 Q. Okay. Tell me about that.

13 A. I had never been called in before and spoke  
14 about it just like anybody -- any other flight  
15 attendant would have.

16 Q. And prior to going to your fact-finding,  
17 you were told that it was Audrey Stone that had  
18 reported you?

19 A. When Meggan Jones left the very first  
20 message and then when Ed Schneider said to me that it  
21 had to do with something that I had sent another what  
22 he called flight attendant, I had only sent it to one  
23 person and that would have been my union president  
24 Audrey Stone.

25 Q. But you weren't certain until you went to

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1 Q. In your opinion, was it a disgusting act to  
2 send her the anatomically correct vagina headdresses  
3 around the faces of women?

4 A. I believe it was a disgusting act that she  
5 represented us at this march, her and 20 other women,  
6 and she saw these types of women there and/or men or  
7 other things, so it should not have been a surprise to  
8 her as my union president and going to that march to  
9 see that.

10 MR. CORRELL: Mr. Hendrick, can you please  
11 read back my last question?

12 A. I'm just gonna say yes.

13 BY MR. CORRELL:

14 Q. Well, I would like to get that on the  
15 record.

16 A. Okay.

17 THE REPORTER: Question: "In your opinion,  
18 was it a disgusting act to send her the anatomically  
19 correct vagina headdresses around the faces of women?"

20 A. No.

21 BY MR. CORRELL:

22 Q. At your fact-finding hearing you were told  
23 to keep the proceedings confidential, correct?

24 A. At my fact-finding meeting, yes.

25 Q. But you didn't, did you?

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1 the fact-finding meeting, right?

2 A. No, I was certain, because I'd only sent it  
3 to one person and that was my union president Audrey  
4 Stone.

5 (Deposition Ex. 5 marked)

6 BY MR. CORRELL:

7 Q. I am going to direct you to another  
8 exhibit. This is going to be EE. I'm sorry. That's  
9 my designation. I'll have to get you the new one.  
10 It's going to be Exhibit 5. Takes just a moment here.  
11 Let me know when you have that in front of you.

12 A. Okay. I have it.

13 Q. Okay. Do you recognize this document?

14 A. Yes, I do.

15 Q. What is this document?

16 A. It is talking to Jeanna Jackson regarding  
17 my being called in.

18 Q. And this is dated March 30th, 2017,  
19 correct?

20 A. That is correct.

21 Q. And that is after your fact-finding but  
22 before your step 2 proceedings, right?

23 A. That is correct.

24 Q. Who is Jeanna Jackson?

25 A. She is a very good friend of mine who has

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1 also been harmed by this administration, and she is a  
2 flight attendant at Southwest Airlines.

3 Q. And who is the Beth referenced in the  
4 message here?

5 A. Beth Ross was my union representative.

6 Q. And so here on March 30th, 2017, you write,  
7 "Beth got the info from Employee Relations and it was  
8 Audrey that wrote me up. She also said they sent her  
9 more info than she thinks they may not have wanted her  
10 to see."

11 Did I read that correctly?

12 A. You did.

13 Q. So is it your sworn testimony today that  
14 you had confirmed prior to Beth giving you this  
15 information that Audrey was the one who had reported  
16 you?

17 A. Yes, this just confirmed it because Beth  
18 and I had been talking about who had turned me in, and  
19 she had actually given me the info. This was after  
20 the -- the whole thing started. I already knew this,  
21 but Beth and I had talked about it and she finally  
22 confirmed it when she got the information from employee  
23 relations that Audrey had turned me in.

24 Q. Why are you sharing this information with  
25 Ms. Jackson?

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1 A. Due to the fact that Jeanna and I are very  
2 good friends and we're both flight attendants and we  
3 had both been harmed by this administration, I was  
4 sharing it confidentially with her.

5 Q. But in so doing, you were violating the  
6 instruction to keep the information from your  
7 fact-finding confidential, correct?

8 A. I had already shared this information prior  
9 to my fact-finding meeting with Jeanna.

10 Q. Who all did you --

11 A. This was just another -- this was just  
12 another confirmation that I sent to Jeanna.

13 Q. Did you do that before or after your  
14 fact-finding meeting?

15 A. Well, Jeanna knew before my fact-finding  
16 meeting.

17 Q. Who all did you tell prior to your  
18 fact-finding meeting that Audrey Stone had reported you  
19 to the company?

20 A. I shared it on ONE LUV.

21 Q. What is ONE LUV?

22 A. Which is a union page.

23 Everybody knew that Audrey had turned me  
24 in.

25 Q. Why did you share it on that page?

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1 A. That is a union page that we all share,  
2 there's several of them on -- online, on Facebook. I'm  
3 hooked to several -- or actually was hooked to many of  
4 them. And I am not the only one that has ever shared  
5 anything quite like this.

6 Q. Why did you choose to share it?

7 A. Because I wanted people to know that this  
8 is who represents us, and that a union leader should  
9 not harm a union member, and they had been doing this  
10 over and over again.

11 Q. Prior to posting that information to ONE  
12 LUV, at any point did you stop and consider whether  
13 doing so could expose Ms. Stone to retaliation?

14 A. Ms. Stone had already been a part of  
15 another Facebook group that she was actually the admin  
16 to who allowed a ton of harm to come to other flight  
17 attendants. This was way before my messaging.

18 MR. CORRELL: Objection, move to strike as  
19 non-responsive.

20 Mr. Hendrick, will you read back my  
21 question.

22 THE REPORTER: Question: "Prior to posting  
23 that information to ONE LUV, at any point did you stop  
24 and consider whether doing so could expose Ms. Stone to  
25 retaliation?"

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1 A. No. Ms. Stone was protected because she  
2 was our union president.

3 MR. CORRELL: Move to strike as  
4 non-responsive everything after the answer "no."  
5 BY MR. CORRELL:

6 Q. In this message below, it also says, "They  
7 sent her more info than she thinks they may not  
8 want" -- "may not wanted to have her see."

9 What is that referencing?

10 A. It means that Beth didn't believe that they  
11 really wanted them to see that information because  
12 instead of -- due to the fact that Audrey tells them  
13 exactly how they should punish me.

14 Q. Audrey tells who?

15 A. Audrey in her letter tells, I believe it is  
16 Suzanne, her base manager, Sonya Lacore, which is our  
17 VP of in flight, and whoever else is blind copied or  
18 copied to that email, and it may be Mike Sims, and it  
19 also may be my base manager Ed Schneider.

20 She references in her letter how I should  
21 be punished.

22 Q. We'll come back to that after a break.

23 What specific info was she referencing? It  
24 says here, "So she is going to share that with me  
25 before my meeting." Did she subsequently share

<p style="text-align: right;">Page 73</p> <p>1 additional information with you that she told you was</p> <p>2 accidentally disclosed to her?</p> <p>3 A. Yes, she said that she was going to share</p> <p>4 that with me prior to my second step meeting.</p> <p>5 Q. Did she do so?</p> <p>6 A. She did not, unfortunately. She said she</p> <p>7 was gonna take it -- instead of showing me -- she did</p> <p>8 tell me that she was the one who turned me in and who</p> <p>9 she turned me in to, and then she was going to have</p> <p>10 another meeting with Mike Sims after the fact, and Mike</p> <p>11 Sims, when he found out it was -- he even states it in</p> <p>12 my second step meeting that the company should stay out</p> <p>13 of union business.</p> <p>14 Q. In the next line she said -- you say, "She</p> <p>15 doesn't want me to let on that I know in this meeting."</p> <p>16 Did I read that correctly?</p> <p>17 A. That is correct. Because she wanted to</p> <p>18 have a meeting with Mike Sims on her own.</p> <p>19 Q. So what information did you conceal from</p> <p>20 Mr. Sims on Ms. Ross's instruction?</p> <p>21 A. I didn't conceal anything because she</p> <p>22 didn't give me anything.</p> <p>23 Q. So there was nothing for you to "not let on</p> <p>24 what I know" about?</p> <p>25 A. Let on -- no, I --</p>	<p style="text-align: right;">Page 74</p> <p>1 Q. She -- so -- let me put it back up. I'm</p> <p>2 sorry. That's a bad question.</p> <p>3 A. I --</p> <p>4 Q. So when she said she doesn't want -- when</p> <p>5 you write here, "She doesn't want me to let on that I</p> <p>6 know this in the meeting" --</p> <p>7 A. Yeah, the --</p> <p>8 Q. What is the "this" -- what is the "this" in</p> <p>9 that sentence?</p> <p>10 A. "This" would be that -- okay. Let's see.</p> <p>11 "She doesn't want me to let on that I know" that --</p> <p>12 that I know that she knows that it was Audrey Stone who</p> <p>13 turned -- she wanted to make that reference to Mike</p> <p>14 Sims. She wanted to have that meeting with Mike Sims.</p> <p>15 But I already stated it within my meeting that it was</p> <p>16 Audrey Stone, my union president, that turned me in.</p> <p>17 Q. In the message below, Ms. Jackson says,</p> <p>18 "I'll call you when I get in my car." Did you guys</p> <p>19 have a conversation about this message?</p> <p>20 A. You know what? I don't recall.</p> <p>21 Q. You understand that in your lawsuit you</p> <p>22 assert that Ed Schneider terminated you, in part at</p> <p>23 least, based on your religious beliefs, correct?</p> <p>24 A. That is correct.</p> <p>25 Q. What is your basis for that assertion?</p>
<p style="text-align: right;">Page 75</p> <p>1 A. I told him that I was a Christian in my</p> <p>2 faith -- in my fact-finding meeting and that I am</p> <p>3 against -- well, I was against the march and them</p> <p>4 marching for Planned Parenthood due to my strong</p> <p>5 beliefs against abortion.</p> <p>6 Q. Do you have any evidence that Mr. Schneider</p> <p>7 would have reached a different outcome had you been --</p> <p>8 held the same views but they were not related to your</p> <p>9 religious beliefs?</p> <p>10 A. That, I cannot speak for him.</p> <p>11 Q. I'm asking if you have any evidence of that</p> <p>12 or anything you would point to for that fact.</p> <p>13 A. I believe that if -- I should have been</p> <p>14 able to, given -- and not knowing this prior to this --</p> <p>15 that I could have some kind of accommodation because of</p> <p>16 my Christian religion, but when I said that within that</p> <p>17 meeting, maybe he should have referred me to -- I</p> <p>18 believe now it's called the ACT committee. I had no</p> <p>19 idea that that committee even existed.</p> <p>20 Q. Are you aware of Southwest ever giving a</p> <p>21 religious accommodation to excuse prior conduct?</p> <p>22 MR. GILLIAM: Objection to the extent it</p> <p>23 calls for a legal conclusion.</p> <p>24 A. I do not. I had never known -- I believe</p> <p>25 that if you stated that you were a Christian, you know,</p>	<p style="text-align: right;">Page 76</p> <p>1 that was enough. I mean, I don't know what else that,</p> <p>2 you know --</p> <p>3 BY MR. CORRELL:</p> <p>4 Q. Well --</p> <p>5 A. I never even knew that we had an ACT</p> <p>6 committee that you could even reach out to.</p> <p>7 Q. What accommodation did you want?</p> <p>8 A. I didn't know I had to have an</p> <p>9 accommodation.</p> <p>10 Q. Sitting here today, you've said that you --</p> <p>11 you didn't know about the ACT committee, you suggest</p> <p>12 that Mr. Schneider should have referred you to the ACT</p> <p>13 team. What is it that you would have asked them for?</p> <p>14 A. I believe that I should have been protected</p> <p>15 as a Christian no matter what of my beliefs.</p> <p>16 Q. So your accommodation request would have</p> <p>17 been to be able to send whatever messages you wanted if</p> <p>18 they were related to your Christian beliefs?</p> <p>19 A. When my union president decided to take</p> <p>20 20 women in support of Planned Parenthood, yeah, I</p> <p>21 should have been able to speak my mind since my money</p> <p>22 was being used to --</p> <p>23 Q. My question is different. What specific</p> <p>24 exception from the social media policy did you want</p> <p>25 Southwest to give you?</p>



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<p>1 A. I should have been able to post my belief</p> <p>2 systems without retaliation on my own personal page,</p> <p>3 and that is one of the things that they got me for.</p> <p>4 Q. Well, let's stick with the private</p> <p>5 messages. Let's stick with the private messages first.</p> <p>6 The private messages --</p> <p>7 A. The private messages were to my union</p> <p>8 president regarding a march that she took place at. So</p> <p>9 yes, I do believe that that should have been protected</p> <p>10 not only under my Christian value system, but also due</p> <p>11 to the fact that she's my union president. Not Audrey</p> <p>12 Stone, but being the union president. So yes, I --</p> <p>13 Q. Ms. Carter, I am asking you a very specific</p> <p>14 question. You have contended in this lawsuit that you</p> <p>15 wanted Southwest to make an exception to the social</p> <p>16 media and workplace bullying policies to accommodate</p> <p>17 your religious beliefs. Do you understand that?</p> <p>18 A. Yes, I do.</p> <p>19 Q. What exception did you want them to create</p> <p>20 for you? What would the rule be if you had gone to</p> <p>21 Southwest and they'd given you what you'd wanted?</p> <p>22 MR. GILLIAM: Objection. Calls for legal</p> <p>23 conclusion.</p> <p>24 A. I don't know what kind of exception. I</p> <p>25 don't even know of what an exception would be. But</p>	<p>1 they -- I clearly stated I was a Christian. I don't</p> <p>2 believe that my union president should have gone to a</p> <p>3 march that supported Planned Parenthood and who was the</p> <p>4 main sponsor of that march. When she went to represent</p> <p>5 us, she put herself and our union, our -- she</p> <p>6 represented us at a march that supported abortion, so</p> <p>7 in this context, yes, I believe that I should have had</p> <p>8 a somewhat -- at least send me to the ACT team, talk to</p> <p>9 me about it, why is it that I cannot express my</p> <p>10 dislike, because that's always been the case with our</p> <p>11 union leadership, but for some reason in my case it's</p> <p>12 not. And yes, my Christian beliefs should have been</p> <p>13 recognized within my union fact-finding meeting. I</p> <p>14 brought it up several times in that meeting.</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. Ms. Carter, as you sit here today, is it</p> <p>17 your sworn testimony that you cannot tell me what</p> <p>18 accommodation you wanted to request from Southwest</p> <p>19 Airlines?</p> <p>20 A. I don't know what the accommodations are.</p> <p>21 I don't even know what the ACT team was until just</p> <p>22 recently.</p> <p>23 Q. I'll give you an example --</p> <p>24 A. What I can't say is if I don't -- they</p> <p>25 should have recognized my Christian beliefs within the</p>
Page 79	Page 80
<p>1 fact-finding meeting when I said I don't -- I -- I</p> <p>2 don't believe in abortion and I don't believe that</p> <p>3 our -- my union president should have taken our dues</p> <p>4 and spent it on a march. This -- this had everything</p> <p>5 to do with just that march.</p> <p>6 Q. Ms. Carter, what I'm asking you is what is</p> <p>7 it you're saying Southwest Airlines should have done to</p> <p>8 accommodate your religious beliefs as soon as you</p> <p>9 raised them?</p> <p>10 MR. GILLIAM: Objection to the extent it</p> <p>11 calls for a legal conclusion. You can answer.</p> <p>12 BY MR. CORRELL:</p> <p>13 Q. Are you testifying that they should have</p> <p>14 just said never mind to this --</p> <p>15 A. They should not have fired me over my</p> <p>16 Christian beliefs.</p> <p>17 Q. Okay.</p> <p>18 A. After I expressed them in the union meeting</p> <p>19 and we could have sat down and at least had a</p> <p>20 conversation regarding that.</p> <p>21 Q. So is there any limit to what you would be</p> <p>22 allowed to say to express your Christian beliefs to</p> <p>23 other employees of Southwest Airlines in your personal</p> <p>24 view?</p> <p>25 MR. GILLIAM: Objection. Incomplete</p>	<p>1 hypothetical.</p> <p>2 A. They should have accommodated this.</p> <p>3 BY MR. CORRELL:</p> <p>4 Q. My question to you, Ms. Carter, is not</p> <p>5 whether they should have accommodated this -- have</p> <p>6 accommodated this. I'm trying to find the parameters</p> <p>7 of the accommodation you claim you were denied. You</p> <p>8 understand you are claiming in your lawsuit you were</p> <p>9 denied an accommodation?</p> <p>10 A. Yes, I was denied an accommodation.</p> <p>11 Q. Do you understand that an accommodation is</p> <p>12 an exception from a policy to allow for religious</p> <p>13 beliefs?</p> <p>14 MR. GILLIAM: Objection. Asks for a legal</p> <p>15 conclusion.</p> <p>16 A. I'm just gonna tell you right now I believe</p> <p>17 that I should have had an accommodation on this</p> <p>18 specific one, yes.</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. And what would that have looked like?</p> <p>21 A. I don't know how they write up the</p> <p>22 accommodations. I don't know. I -- I never even knew</p> <p>23 you had to have an accommodation. I believe my</p> <p>24 accommodation falls under Title VII of the civil rights</p> <p>25 that I have as a Christian or a believer, that due --</p>



<p style="text-align: right;">Page 81</p> <p>1 and due to the fact that my union president spent money</p> <p>2 to go to a march that supported abortion. If you're</p> <p>3 going to go to a march regarding this type of behavior,</p> <p>4 this reflected that behavior and I should have had my</p> <p>5 accommodations met once I said I was a Christian, but</p> <p>6 honestly, this should have also been through the union</p> <p>7 representatives, they knew where I stood on this.</p> <p>8 Q. So your testimony is that you believe</p> <p>9 Southwest should allow you to say whatever you want</p> <p>10 however you want if it is in support of your Christian</p> <p>11 beliefs?</p> <p>12 MR. GILLIAM: Objection. Incomplete</p> <p>13 hypothetical.</p> <p>14 A. In this context --</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. Hang on. Hang on.</p> <p>17 A. In this context, yes.</p> <p>18 Q. Hang on, Ms. Carter. Your testimony --</p> <p>19 MR. CORRELL: Not a hypothetical, counsel.</p> <p>20 BY MR. CORRELL:</p> <p>21 Q. -- is that the accommodation you should</p> <p>22 have been provided is the right to say whatever you</p> <p>23 want however you want if it is in support of your</p> <p>24 Christian beliefs?</p> <p>25 A. Again --</p>	<p style="text-align: right;">Page 82</p> <p>1 MR. GILLIAM: Objection. Calls for a legal</p> <p>2 conclusion.</p> <p>3 A. Again, this was due to a march that my</p> <p>4 union president went to, wore pink pussyhats, marched</p> <p>5 with a bunch of women in support of, with being the</p> <p>6 main sponsor Planned Parenthood. So in this particular</p> <p>7 instance, yes, they should have given me, in this</p> <p>8 particular instance, they should have given me an</p> <p>9 accommodation.</p> <p>10 BY MR. CORRELL:</p> <p>11 Q. Okay. So all they needed to do --</p> <p>12 A. So should -- so should have the union.</p> <p>13 This should have never gone to the -- the company.</p> <p>14 This should have been handled within the union</p> <p>15 parameters.</p> <p>16 Q. Let me ask this differently, then.</p> <p>17 So I understand you're saying part of what</p> <p>18 you requested was that you be excused for the messages</p> <p>19 you previously sent to Ms. Stone.</p> <p>20 Do I have that correct?</p> <p>21 A. Correct.</p> <p>22 Q. Would you also have sought to be allowed to</p> <p>23 send those employees to other employees again in the</p> <p>24 future?</p> <p>25 A. I would have never sent those messages to</p>
<p style="text-align: right;">Page 83</p> <p>1 anybody. This was in reflection -- or this was due to</p> <p>2 the actual march that -- and I only sent it to my union</p> <p>3 president because she is the one that led this</p> <p>4 particular march, as in led these flight attendants to</p> <p>5 this women's committee meeting and to the march. I</p> <p>6 never sent it to anyone else. She was the leader and</p> <p>7 this is the reason it got sent to her. There was no</p> <p>8 reason for me to send it to anyone else. And it was in</p> <p>9 her capacity as the union president, not her</p> <p>10 personally.</p> <p>11 MR. GILLIAM: Counsel, whenever it's</p> <p>12 convenient for you, if you want to take a break, that's</p> <p>13 fine. I think everybody's ready.</p> <p>14 MR. CORRELL: Yeah, give me just two more</p> <p>15 minutes and I think we'll be good.</p> <p>16 MR. GILLIAM: Okay.</p> <p>17 MR. CORRELL: Yeah, let's go ahead and take</p> <p>18 a break now.</p> <p>19 MR. GILLIAM: Okay. All right. About</p> <p>20 what --</p> <p>21 VIDEOGRAPHER: Hold on. Hang on. We are</p> <p>22 going off the record at 11:01 a.m.</p> <p>23 (Break from 11:01 a.m. until 11:14 a.m.)</p> <p>24 VIDEOGRAPHER: We are going back on the</p> <p>25 record at 11:14 a.m.</p>	<p style="text-align: right;">Page 84</p> <p>1 BY MR. CORRELL:</p> <p>2 Q. Ms. Carter, before we took the break we had</p> <p>3 started to talk about -- or we had gone into and talked</p> <p>4 about religious accommodation issues. Before that, the</p> <p>5 question I'd put to you was essentially what evidence</p> <p>6 do you have that Mr. Schneider sought to discriminate</p> <p>7 you on the basis of your religious beliefs and I</p> <p>8 believe your answer was that he did not provide you</p> <p>9 with a religious accommodation or direct you to the ACT</p> <p>10 team. Do I have that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Is there any other evidence that you</p> <p>13 possess that Mr. Schneider acted against you because he</p> <p>14 was hostile to or discriminating against your religious</p> <p>15 beliefs?</p> <p>16 A. No.</p> <p>17 Q. Do you have any evidence that Mr. Schneider</p> <p>18 was hostile to you or acting against you because you</p> <p>19 were a union objector?</p> <p>20 A. No.</p> <p>21 Q. Ms. Jones, Meggan Jones was the assistant</p> <p>22 base manager at Denver, correct?</p> <p>23 A. Yes.</p> <p>24 Q. And she participated in the fact-finding,</p> <p>25 right?</p>

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1 A. Yes.

2 Q. What evidence, if any, do you have that

3 Ms. Jones sought to discriminate against you on the

4 basis of your religious beliefs?

5 A. None, except that I said I was a Christian.

6 Q. And if I ask you the same question about

7 Ms. Gutierrez, would your response be the same?

8 A. Correct.

9 Q. And if I ask you the same question about

10 Ms. Emlet, would your response be the same?

11 A. Yes, sir.

12 Q. With respect to Ms. Jones, do you have any

13 evidence that she sought to discriminate you based on

14 your status as a union objector?

15 A. No.

16 Q. And would the same be true for

17 Ms. Gutierrez?

18 A. Yes.

19 Q. And would the same be true for Ms. Emlet?

20 A. Yes.

21 Q. So after the fact-finding was complete,

22 what happened next in your recollection, after the

23 meeting ended?

24 A. Nothing. I mean, I went home. I talked to

25 Chris Sullivan, my rep, and went home.

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1 hearing in your recollection?

2 A. I was able to present my case to Mike Sims.

3 Q. And you've previously testified that you

4 believed that that proceeding was fair and complete,

5 correct?

6 A. Yes.

7 Q. Is that still your testimony?

8 A. Yes.

9 Q. Do you contend that Mr. Sims discriminated

10 against you on the basis of your religious beliefs at

11 the step 2 level?

12 A. No.

13 Q. Do you contend that anyone else

14 discriminated against you on the basis of your

15 religious beliefs at the step 2 level?

16 MR. GILLIAM: Objection. Calls for a legal

17 conclusion. You can answer.

18 A. Honestly I don't know. I don't know. I

19 mean, I don't know what's in people's minds.

20 BY MR. CORRELL:

21 Q. Well, and that's perfectly fine. What I'm

22 trying to make sure I get is any evidence that you

23 possess that you believe shows that someone at step 2

24 had what we would call a discriminatory animus so a

25 bias against you because of your Christian beliefs, and

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1 Q. So Ms. Ross who we spoke about earlier, was

2 she your rep at step 2 then?

3 A. She was the actual person who did my case

4 through the union.

5 Q. What do you mean by that?

6 A. She was the one who did the grievance. She

7 was the grievance person.

8 Q. So she did not attend either hearing with

9 you?

10 A. She attended the second step meeting.

11 Q. So Chris Sullivan was the only union

12 representative who attended the first step meeting with

13 you?

14 A. That's correct.

15 Q. Between the time the fact-finding ended and

16 when you received Exhibit 1, the termination letter,

17 did you have any more interaction with the company

18 individuals who appeared at the fact-finding meeting?

19 A. No, I don't believe so.

20 Q. After you received the termination letter,

21 you grieved that decision, correct?

22 A. Correct.

23 Q. And that triggered a step 2 hearing, right?

24 A. Correct.

25 Q. What can you tell me about the step 2

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1 so I'm just making sure there's no other names in there

2 that we need to cover.

3 A. No.

4 Q. Do you have any evidence or -- that

5 Mr. Sims discriminated against you at your step 2

6 because you were a union objector?

7 A. No.

8 Q. And to your knowledge, do you have any

9 evidence of anyone else who was discriminating against

10 you from the company at your step 2 on the basis that

11 you were a union objector?

12 A. No.

13 Q. So at the step 2 you were directly

14 instructed again that all information that you were

15 provided through the hearing process you need to keep

16 confidential, correct?

17 A. Yes.

18 Q. Did you continue discussing your case with

19 Ms. Jackson?

20 A. I believe I did, yes. She had --

21 Q. Did you continue to discuss -- oh. Please

22 go ahead.

23 A. Yes.

24 Q. Did you continue discussing your case with

25 any other flight attendant?

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1 A. There may have been one or two, yes.  
 2 Q. Who?  
 3 A. Dawn Wann.  
 4 Q. Is that D-A-W-N?  
 5 A. Mm-hmm. She also used to be a person who  
 6 sat on the board.  
 7 Q. Who else besides Ms. Wann?  
 8 A. Jana Deloache. And she also used to be a  
 9 representative on the board.  
 10 Q. So why were you communicating with Ms. Wann  
 11 about your proceedings?  
 12 A. Due to the fact that she used to sit on the  
 13 board, I looked for I guess some help.  
 14 Q. Was she still sitting on the board or  
 15 working in any union capacity when you were  
 16 communicating with her at this time?  
 17 A. I believe she was doing fact-finding  
 18 meetings at that time. I think. I don't -- I don't  
 19 know that for a fact.  
 20 Q. Did you ask the company's permission to  
 21 share information with Ms. Wann?  
 22 A. No.  
 23 Q. Did you tell your -- Ms. Ross that you were  
 24 going to communicate with Ms. Wann?  
 25 A. I believe she knew I was talking to her,

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1 I had never filed a grievance before so I was unclear  
 2 of how things happened.  
 3 Q. Other than providing you with that  
 4 information, did Ms. Wann do anything else that you are  
 5 aware of in response to your communications with her at  
 6 this time?  
 7 A. No.  
 8 Q. What did Ms. Deloache provide you, if  
 9 anything?  
 10 A. The same type of thing.  
 11 Q. Anything she provided that Ms. Wann did  
 12 not?  
 13 A. No.  
 14 Q. Other than Ms. Wann and Ms. Deloache, were  
 15 you communicating with anyone -- and Ms. Jackson, were  
 16 you communicating with anyone else about your step 2  
 17 proceedings at this time?  
 18 A. I don't believe so.  
 19 Q. Now, the result of your step 2 hearing was  
 20 an offer of reinstatement subject to a last chance  
 21 agreement, correct?  
 22 A. Correct.  
 23 Q. And you did not accept that last chance  
 24 agreement, correct?  
 25 A. Correct.

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1 yes.  
 2 Q. How did she know that --  
 3 A. Because I told her I had reached out to a  
 4 couple other people.  
 5 Q. What was Ms. Ross's response when you told  
 6 her that information, if anything?  
 7 A. She just told me not to share specifics,  
 8 but I didn't share the specifics, I just shared the --  
 9 what had happened. You know, that I had gone to my --  
 10 my fact-finding meeting -- or my second step meeting.  
 11 Q. And you said Ms. Deloache, is that correct?  
 12 A. Deloache.  
 13 Q. Deloache. Ms. Deloache was also a former  
 14 board member?  
 15 A. That is correct.  
 16 Q. Did she hold any union offices at the time  
 17 you were communicating with her about this?  
 18 A. I -- I think she was doing fact-finding  
 19 meetings, and I'm not sure if she was on the team for  
 20 safety.  
 21 Q. I'm sorry. Going back to Ms. Wann, what  
 22 advice, if any, did Ms. Wann give you in response to  
 23 your communications?  
 24 A. It was just basically how the -- how the  
 25 union works with their grievances and so forth, because

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1 (Deposition Ex. 6 marked)  
 2 BY MR. CORRELL:  
 3 Q. I am going to show you what will be marked  
 4 as Exhibit 6 to your deposition. Just a moment here.  
 5 You should have that in just a moment here and it  
 6 should populate, like I said, as Exhibit 6. Let me  
 7 know when you have that. I know it may take a minute.  
 8 A. Okay. I have it.  
 9 Q. Do you recognize this document?  
 10 A. Yes.  
 11 Q. What is this document?  
 12 A. This is the settlement statement that they  
 13 offered me.  
 14 Q. Why did you decline this offer of  
 15 reinstatement?  
 16 A. Several reasons. One, first big -- the  
 17 biggest reason is that I have known flight attendants  
 18 that have accepted this, and as soon as they accepted  
 19 it, somebody had turned them in for something that they  
 20 had done in the past and then they got fired again.  
 21 Another reason I did not accept this was  
 22 due to the fact that they wanted to put a letter in my  
 23 file for 24 months, which exceeded the contract. It  
 24 was only supposed to be in there at the -- at the very  
 25 most for 18 months, so which that meant if, you know, I

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1 sneezed wrong on the airplane within 24 months of  
2 basically being on probation again, I would be fired.  
3 I would have no recourse if somebody, you know, decided  
4 to turn me in for past social media, and I know people  
5 were looking for that, and I would get fired  
6 immediately after signing this.

7 Another thing is, is that this was union  
8 business and the company actually got involved in union  
9 business, which never happened in the past, and I  
10 believe that this should have been just handled within  
11 the union, and I would have been signing all my rights  
12 away. And on top of that, I had already been speaking  
13 regarding this. Again, if I would have signed this,  
14 somebody could have dredged something up from the past  
15 and had me fired over speaking about it in the past and  
16 that has happened to other flight attendants. So I  
17 knew in signing this, it would be pretty much my death  
18 sentence at Southwest.

19 Q. The first point you raised, who do you know  
20 who accepted the last chance agreement and was  
21 subsequently terminated for conduct that predated the  
22 last chance agreement?

23 A. Holly Immamovic.

24 Q. Now your testimony is that the behavior  
25 that got her fired occurred before she accepted the

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1 last chance agreement?

2 MR. GILLIAM: Objection to the form.

3 A. That I don't know for a fact. I just know  
4 something was dredged up and they immediately turned  
5 her in again.

6 BY MR. CORRELL:

7 Q. Would it surprise you if she was terminated  
8 for a social media violation that occurred after she  
9 signed the social media agreement -- excuse me -- the  
10 last chance agreement?

11 A. You know what? I can't speculate on that.

12 Q. If that were the case, would it change your  
13 assessment of how Ms. Immamovic's or -momavic's outcome  
14 informed your approach to this letter?

15 MR. GILLIAM: Objection. Incomplete  
16 hypothetical. You can answer.

17 A. No, because I -- I knew what was going on  
18 due to people turning each other in which --

19 BY MR. CORRELL:

20 Q. I -- sorry. Go ahead.

21 A. That was a big huge factor for me not to  
22 sign this. I knew that --

23 Q. Other than Ms. Immamovic, what person do  
24 you know who signed a last chance agreement but was  
25 subsequently terminated for a social media violation?

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1 A. At that time she was the only person that I  
2 did know.

3 Q. Since then who have you discovered?

4 A. I have -- I don't know because I don't -- I  
5 have no idea. I don't know who has been fired and who  
6 hasn't been fired.

7 Q. Well, in your complaint and in your  
8 discovery responses, you allege that Casey Rittner was  
9 terminated for a social media violation, correct?

10 A. Casey Rittner, yes, and that was -- which  
11 is -- yes.

12 Q. So was Ms. Rittner reinstated?

13 A. It's Mr. Rittner, but yes, he was  
14 reinstated.

15 Q. Was Mr. Rittner subsequently terminated  
16 after that reinstatement?

17 A. That, I don't know.

18 Q. The 24-month issue that you raised as your  
19 second point, what was your concern there?

20 A. Well, it exceeded our contract and I'm  
21 not -- I'm not sure why we weren't staying within the  
22 realms of the contract, and mine seemed to be extreme  
23 due to the fact that it was 24 months and not the  
24 18 months.

25 Q. Do you know if other people also received a

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1 24-month period of --

2 A. No, I believe I was the first and only at  
3 that time.

4 Q. What's your basis for making that  
5 assertion?

6 A. Talking to Beth Ross, my union  
7 representative, she had not seen a 24-month.

8 Q. So your testimony is that Beth Ross told  
9 you she had not seen other LCAs with a 24-month period?

10 A. That's what we had discussed, yes, that it  
11 was excessive.

12 Q. At any point did you contact anyone at  
13 Southwest Airlines to address the 24-month issue?

14 A. I was told not to and that was by Becky  
15 Parker.

16 Q. Who is Becky --

17 A. She said this was -- she was also a -- she  
18 was the grievance chair and she told me that was the  
19 best I was gonna get.

20 Q. When did she tell you that?

21 A. Right after the -- this was sent to me, the  
22 last chance agreement.

23 Q. What is your basis for claiming that you  
24 would still be exposed to termination for social media  
25 posts that predate this letter?

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1 MR. GILLIAM: I would just instruct  
2 Ms. Carter that you shouldn't reveal any  
3 attorney-client communications to the extent that your  
4 answer might involve any attorney-client communication.

5 THE WITNESS: Okay.

6 A. I just knew that there were others out  
7 there trying to harm.

8 BY MR. CORRELL:

9 Q. But I guess what I'm asking is: What on  
10 this letter says to you that Southwest can now go  
11 terminate you for conduct that predates this letter, if  
12 anything?

13 A. The reason that I would come to that  
14 conclusion is because people were being harmed, not --  
15 not just from signing the last chance agreement, but  
16 people were being harmed for things that they had said  
17 two or three or four years prior to this and being  
18 called in. So I already knew, due to the social media  
19 violations that were becoming increasingly horrible,  
20 that I was not going to sign on the dotted line on this  
21 one.

22 Q. So did you reach out to Southwest to say,  
23 hey, can I get in trouble for prior south -- for prior  
24 social media posts and be terminated based on this  
25 letter?

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1 A. I was told by Becky Parker that I was to  
2 contact her and my grievance team on this issue. I did  
3 not contact anyone at Southwest Airlines management.

4 Q. Did you contact your union and ask them to  
5 get clarification from Southwest Airlines as to whether  
6 or not prior conduct would result in termination under  
7 the last chance agreement?

8 A. We talked about it, but like I said, Becky  
9 Parker told me that this would be the best I was going  
10 to get.

11 Q. Did Ms. Parker tell you yes, they could go  
12 find old posts and fire you for it after the last  
13 chance agreement was signed?

14 A. Beth knew and both Becky had known that,  
15 yes, other people had been fired for things that were  
16 posted back in, you know, further -- I mean, from --  
17 from that day back, anybody could be turned in.

18 Q. Well, and I guess I'm asking a different  
19 question here. Is -- are you saying that what they  
20 told you is that if you signed this letter and somebody  
21 reported three-year-old social media violations, you  
22 would be subject to immediate termination under the  
23 letter, is that what they told you?

24 A. If they found anything else that I had  
25 posted, that I could be fired again, yes.

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1 Q. Did they name any names when they were  
2 talking to you about other cases?

3 A. No.

4 Q. Did they provide you with any details?

5 A. No, because they're not supposed to.

6 Q. I mean, if you had it to do over again,  
7 would you have accepted this letter?

8 A. No, because I believe I would have been  
9 fired.

10 Q. So was the only issue that you were  
11 concerned with then -- setting aside the 24 months, if  
12 this letter had said you won't be punished for anything  
13 you've previously posted to social media, that would  
14 have been sufficient for you to sign it except for the  
15 24-month issue?

16 A. Yes, I would have signed it.

17 Q. Did you tell that to Becky Parker and Beth  
18 Ross?

19 A. I spoke to Becky Parker on all the issues  
20 regarding this last chance agreement and she  
21 specifically told me, this is the best you are going to  
22 get, Charlene. That's all I can refer you to.

23 Q. And you testified at the arbitration that  
24 you would not engage in the same behavior again if you  
25 had been reinstated, correct?

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1 A. That is correct.

2 Q. So with the 24-month issue, is it your view  
3 that it's just a violation of the collective bargaining  
4 agreement or is it your view that it's just too long?  
5 I'm just trying to understand what you are coming at  
6 with that point.

7 A. Well, it's both. It's the -- it's the fact  
8 that for some reason that mine exceeded, which we have  
9 a contract with Southwest Airlines, exceeded the  
10 contract and I'm not sure exactly why. The 18 months I  
11 still think is a little harsh, but it is in our  
12 contract and I'm not sure why mine -- they didn't  
13 decide that it would stay within the realms of the  
14 contract.

15 Q. And you described this I think a moment ago  
16 as a death sentence.

17 A. Yes.

18 Q. What was your understanding of how  
19 discipline would proceed if you were disciplined for  
20 something other than a similar issue, so other than a  
21 social media violation, other than a bullying  
22 violation, and other than a sexual harassment  
23 violation?

24 A. Okay. Can you say that again?

25 Q. Sure. Let me ask that a little more



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1 clearly.

2 You understand that there are three  
3 policies referenced in this letter, and I think we  
4 can -- I can point to them.

5 A. The third policy, though, was a possible  
6 and --

7 Q. Understood. And I'm just talking about the  
8 letter here. So in the letter it says your -- "Any  
9 future violation of the Southwest Airlines Workplace  
10 Bullying and Hazing Policy, Social Media Policy, or  
11 Harassment, Sexual Harassment, Discrimination and  
12 Retaliation Policy will result in termination."

13 That is the -- the seventh bullet down.  
14 Did I read that correctly?

15 A. That is correct.

16 Q. So was it your understanding that -- you  
17 were talking about sneezing on the airplane. Was it  
18 your understanding you would also be subject to  
19 immediate termination if you broke some other work  
20 rule?

21 A. Yes.

22 Q. How did you arrive at that conclusion?

23 MR. GILLIAM: I would just say again if you  
24 received any information from an attorney on this, not  
25 to answer -- or not to respond with your

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1 attorney-client privileged information.

2 THE WITNESS: Okay.

3 A. Only because I knew it had happened in --  
4 in our system.

5 BY MR. CORRELL:

6 Q. Can you give me an example?

7 A. I -- you know what? I -- I can't right at  
8 the moment.

9 Q. Would it surprise --

10 A. The only -- the only one that I know of is  
11 Holly Immamovic.

12 Q. The --

13 A. At that time -- at that time. And I can't  
14 discuss the rest of that.

15 Q. Why are you unable to discuss the rest of  
16 that?

17 MR. GILLIAM: If it's privileged  
18 information then --

19 A. Yeah.

20 MR. CORRELL: Well, her communications with  
21 Holly Immamovic are not going to be privileged.

22 MR. GILLIAM: Correct, right.

23 BY MR. CORRELL:

24 Q. So is there some other reason you are not  
25 testifying as to the other details you are aware of

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1 with respect to Holly Immamovic?

2 A. No. I just know that others were looking  
3 for reasons to have other people terminated. It -- it  
4 had become a hostile work environment and everybody was  
5 on pins and needles at this point, and I was afraid to  
6 sign this particular document and be subject to, let's  
7 say, flying with another flight attendant who knew  
8 about this and turned me in for something. I had never  
9 been in trouble at my job before ever until this.

10 Q. I'm trying to understand, Ms. Carter, is  
11 there anything on the face of this letter that led you  
12 to believe that violations of other policies besides  
13 the three listed in bullet 7 would result in immediate  
14 termination on the face of this letter?

15 A. No, not on the face of this letter.

16 Q. Did Ms. Parker or Ms. Ross tell you that  
17 any policy violation, no matter what it was, not the  
18 three that are itemized here, but any of them, would  
19 result in immediate termination?

20 A. Not in those words, no. They just said to  
21 watch your back.

22 Q. What do you mean by that?

23 MR. GILLIAM: Objection. Calls for  
24 speculation. You can answer.

25 A. Yeah, it -- it just means that if there was

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1 another violation, that more than likely I would be  
2 fired and I would have no recourse.

3 BY MR. CORRELL:

4 Q. Another violation of what?

5 A. Of really anything that fell under a policy  
6 that Southwest Airlines has, and they --

7 Q. Would that --

8 A. And they would be watching me.

9 Q. What did Ms. Parker and Ms. Ross  
10 specifically say that led you to believe that this  
11 letter reached beyond the three listed policies?

12 A. This letter did not as in specific being  
13 written. So no, it did not.

14 Q. I understand that, but I believe your  
15 testimony just now was that when Ms. Ross and

16 Ms. Parker said "watch your back," you interpreted that  
17 as them telling you that this extended to all policies  
18 not just the three enumerated policies. Did I  
19 understand that testimony correctly?

20 A. That is correct.

21 Q. Did they say anything other than the phrase  
22 "watch your back" that led you to reach that  
23 conclusion?

24 A. No, that would be -- that would be pretty  
25 telling to me. Watch my back.



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<p>1 Q. Did you ask directly whether other policies</p> <p>2 would trigger immediate termination under this last</p> <p>3 chance agreement to anyone other than counsel?</p> <p>4 A. You mean as in Becky Parker and them?</p> <p>5 Q. That includes them or anybody else.</p> <p>6 A. No, I -- I had asked Beth about this. If I</p> <p>7 sign this letter, you know, is this going to be</p> <p>8 something that, you know, within the next 24 months</p> <p>9 they could pretty much fire me, you know, because</p> <p>10 they're going to be watching me and she said yes.</p> <p>11 Now, it may not state it in that letter.</p> <p>12 And that my -- the 24 months she believed was</p> <p>13 excessive. She wasn't sure why they -- they put the</p> <p>14 24 months on to my letter.</p> <p>15 Q. I want to direct you next to what I believe</p> <p>16 will be Exhibit 7 to your deposition. Let me know when</p> <p>17 you are able to access that document.</p> <p>18 A. Okay.</p> <p>19 Q. Do you recognize this document?</p> <p>20 (Deposition Ex. 7 marked)</p> <p>21 A. Yes, I do.</p> <p>22 BY MR. CORRELL:</p> <p>23 Q. And is this a text message from you to a</p> <p>24 Lynn McGomery?</p> <p>25 A. That is correct.</p>	<p>1 Q. Who is Lynn McGomery?</p> <p>2 A. She happens to be a friend of mine. And</p> <p>3 she's a flight attendant at Southwest.</p> <p>4 Q. Now, previously I asked you questions about</p> <p>5 who you communicated with about your fact-finding and</p> <p>6 step 2 proceedings. Had you communicated with</p> <p>7 Ms. Montgomery prior to sending this text message --</p> <p>8 text message regarding these topics?</p> <p>9 A. Regarding that the --</p> <p>10 Q. Fact-finding and step 2.</p> <p>11 A. The women's march, yes. Yes. She's a</p> <p>12 friend of mine.</p> <p>13 Q. Had you communicated with Ms. Montgomery</p> <p>14 about your fact-finding?</p> <p>15 A. She knew of my fact-finding, yes, because</p> <p>16 of, you know, ONE LUV.</p> <p>17 Q. Did you communicate directly with</p> <p>18 Ms. Montgomery about your fact-finding?</p> <p>19 A. You know what, I don't recall. I don't</p> <p>20 recall talking to her directly about it. I know that I</p> <p>21 shared some information about the women's march and</p> <p>22 that our union, you know, was representing us there.</p> <p>23 Q. And Ms. Carter, I understand your testimony</p> <p>24 that the union went to the women's march and your</p> <p>25 objection to that. My question is about your</p>
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<p>1 engagement with Ms. Montgomery about specific events.</p> <p>2 So the next one is did you confer with</p> <p>3 Ms. Montgomery at all about your step 2?</p> <p>4 A. I don't recall.</p> <p>5 Q. Why did -- when you say here, "Just sent</p> <p>6 you an email with my reinstatement letter... enjoy,"</p> <p>7 and an emoji, what is the reinstatement letter you are</p> <p>8 referencing?</p> <p>9 A. That would be my second step -- that would</p> <p>10 be the -- the last chance agreement.</p> <p>11 Q. And this -- this text message is dated</p> <p>12 April 19th, 2017, correct?</p> <p>13 A. That's correct.</p> <p>14 Q. And I believe the last chance letter is</p> <p>15 also dated April 17, 2017; is that correct?</p> <p>16 A. April -- hold on.</p> <p>17 MR. GILLIAM: Objection. Misstates prior</p> <p>18 testimony.</p> <p>19 MR. CORRELL: I'm talking about an exhibit,</p> <p>20 Counsel.</p> <p>21 MR. GILLIAM: I know. Misstates the</p> <p>22 exhibit.</p> <p>23 A. Yeah, that's April 17 -- yes.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. So did you receive this letter on</p>	<p>1 April 17th, 2017?</p> <p>2 A. It's dated then. I don't know if I</p> <p>3 actually got it on that day.</p> <p>4 Q. Is it possible you got it sooner than</p> <p>5 April 17th, 2017?</p> <p>6 A. No, I wouldn't have gotten it sooner.</p> <p>7 Q. And you sent a text message telling someone</p> <p>8 you sent it to them on April 19th, 2017, right?</p> <p>9 A. Yeah, that's several days after that.</p> <p>10 Q. Two days, correct?</p> <p>11 A. I'm sorry?</p> <p>12 Q. You said several. It's two days after</p> <p>13 April 17th.</p> <p>14 A. Okay. Two days.</p> <p>15 Q. Well, why did you send your letter to</p> <p>16 Ms. Montgomery?</p> <p>17 A. Ms. Montgomery used to be our grievance</p> <p>18 chair and I wanted her to take a look at it.</p> <p>19 Q. What advice, if any, did Ms. Montgomery</p> <p>20 give you about the letter?</p> <p>21 A. She thought it was excessive, she'd never</p> <p>22 seen anything quite like it.</p> <p>23 Q. What did she say was excessive?</p> <p>24 A. The fact that it exceeded our contract, for</p> <p>25 one, and that, you know, she -- that we didn't -- we</p>

<p style="text-align: right;">Page 109</p> <p>1 didn't used to have these agreements back in the day.  2 This only -- this only came about under Audrey's  3 administration.  4 Q. So your testimony is that last chance  5 agreements didn't exist before Audrey Stone was  6 president of 556?  7 A. As far as I knew, they did not. Now, I may  8 be wrong on that. I don't know exactly when these  9 started to -- and then on top of that too, we always  10 had a step process in disciplining and I was not re --  11 I was not given that opportunity to correct what they  12 had said was, you know, my violations. Normally you  13 would get either like a 30-day suspension, you -- you  14 wouldn't just be fired. We -- we didn't use to fire  15 flight attendants the way we do now.  16 Q. Didn't the last chance agreement offer you  17 a 30-day suspension and to let you continue working as  18 long as you didn't engage in any behavior again?  19 A. Yes. That was after already being off for  20 30 days.  21 Q. Well, and we can go back to Exhibit 6, but  22 the suspension was already retroactively completed on  23 the date that you received it, was it not?  24 A. That is correct.  25 Q. So when Ms. Montgomery responded to you</p>	<p style="text-align: right;">Page 110</p> <p>1 about the last chance agreement, what form did that  2 response take? Was it a call? A letter? More text  3 messages?  4 A. No, it wasn't a call. I think it was just  5 the text message.  6 Q. Do you have those text messages?  7 A. No, I've given everything over to my  8 attorneys. I think that this was, she just read it and  9 that was it.  10 Q. Well, you just testified that she gave you  11 input on the --  12 A. Oh, I'm sorry. Yes, yes, yes. I'm sorry.  13 I -- I didn't hear your question.  14 Yeah. We discussed this on the phone after  15 the fact, and she told me, she said, she goes,  16 "Charlene, I've never seen anything quite like this."  17 Q. When did you discuss it with her?  18 A. It probably was a couple of days after.  19 And again, she used to be our grievance chair. So I  20 knew that, you know, she -- she had dealt with things  21 like this before.  22 Q. Other than Ms. Montgomery, who else did you  23 send copies of this last chance agreement to?  24 A. I don't believe anybody else.  25 Q. If we go back to Exhibit 6.</p>
<p style="text-align: right;">Page 111</p> <p>1 A. Okay. Okay.  2 Q. Then just let me know when you are there.  3 A. I'm there.  4 Q. You see at the top in bold all caps,  5 "Privileged &amp; Confidential Reinstatement Settlement and  6 Last Chance Agreement"?  7 A. Yes.  8 Q. Did you ask anyone before you sent this  9 letter to someone other than Ms. Ross?  10 A. I know that I had talked to them regarding  11 this, and I was going to send it also to the -- the  12 attorney.  13 Q. And I don't need to know anything about  14 your communications with counsel. But did you get any  15 permission to send this confidential document to  16 Ms. Montgomery before you sent it?  17 A. I had spoken with Beth and I was gonna -- I  18 told her that I was probably gonna send this to let --  19 let Lynn read it since she used to be our grievance  20 chair.  21 Q. And what was Ms. Ross's reaction to you  22 saying you were going to send this confidential  23 document to someone else?  24 A. Due to the fact that she used to be our  25 grievance chair, she used to handle these things, so</p>	<p style="text-align: right;">Page 112</p> <p>1 she thought that that might be, you know, helpful for  2 me to really understand it, even though Beth -- you  3 know, she -- because she -- basically I was getting a  4 second opinion on this. I was afraid to sign anything.  5 Q. Did you send this to Jeanna Jackson?  6 A. I don't -- I don't think I did, no. I  7 think I may have discussed it with her.  8 Q. What did you tell her about it?  9 A. Just the -- just the -- just the fact that  10 the 24 months, and I didn't think I was gonna sign it.  11 Q. Did you ask permission from anyone before  12 you discussed it with Jeanna Jackson?  13 A. No, but once again, Jeanna also was a --  14 oh, she did a fact-finding meeting so she was very  15 knowledgeable about these things as well.  16 Q. I'd like to direct to you the second page  17 of the last chance agreement, to the second full  18 paragraph. Let me know when you are there. It begins  19 with, "The terms your reinstatement."  20 A. Yes.  21 Q. "The terms of your reinstatement are made  22 on a non-precedent and non-referral basis and are to be  23 kept confidential."  24 Did I read that correctly?  25 A. Yes, you did.</p>

<p style="text-align: right;">Page 113</p> <p>1 Q. You violated that before you even signed</p> <p>2 it, didn't you?</p> <p>3 A. I guess I did.</p> <p>4 Q. So I want to take you next to the process</p> <p>5 that commenced after your separation when you filed</p> <p>6 documents with the Equal Employment Opportunity</p> <p>7 Commission. And I'll direct you to a new exhibit, if</p> <p>8 you will give me one moment. And that should come up</p> <p>9 in just a second for you, Ms. Carter.</p> <p>10 A. Okay.</p> <p>11 (Deposition Ex. 8 marked)</p> <p>12 BY MR. CORRELL:</p> <p>13 Q. Do you recognize this document?</p> <p>14 A. I do.</p> <p>15 Q. What is this document?</p> <p>16 A. That is the charge to the EEOC.</p> <p>17 Q. And you filed this on March 14 -- excuse</p> <p>18 me, that's the date.</p> <p>19 Sorry. You filed this on September 7,</p> <p>20 2017, correct?</p> <p>21 A. Mm-hmm.</p> <p>22 Q. Have you had a chance to read this just now</p> <p>23 just to reacquaint yourself with it? And if you need a</p> <p>24 few moments, please take your time.</p> <p>25 A. Yeah, hold on a second. I was going to say</p>	<p style="text-align: right;">Page 114</p> <p>1 it's hard to read since it's so tiny. Here we go.</p> <p>2 Okay.</p> <p>3 Q. So you understand that you signed this</p> <p>4 document under penalty of perjury, correct?</p> <p>5 A. Excuse me?</p> <p>6 Q. That you signed this -- at the bottom of</p> <p>7 this document, do you see where it says, "I declare</p> <p>8 under penalty of perjury that the foregoing is true and</p> <p>9 correct," and it's your signature?</p> <p>10 A. Yes.</p> <p>11 Q. Going to paragraph 3 of your charge, it</p> <p>12 reads, "My employer (Southwest Airlines), and the union</p> <p>13 which represents me (Transport Workers Union of America</p> <p>14 Local 556), both support abortion."</p> <p>15 Did I read that correctly?</p> <p>16 A. Yes, you did.</p> <p>17 Q. What evidence do you have that Southwest</p> <p>18 Airlines supports abortion?</p> <p>19 A. When the --</p> <p>20 MR. GILLIAM: Objection. Calls for a legal</p> <p>21 conclusion but you can answer.</p> <p>22 A. When --</p> <p>23 MR. CORRELL: I just want to get a</p> <p>24 clarification for the record. How does asking her what</p> <p>25 evidence she has that Southwest supports abortion calls</p>
<p style="text-align: right;">Page 115</p> <p>1 for a legal conclusion?</p> <p>2 MR. GILLIAM: What constitutes evidence in</p> <p>3 support of abortion.</p> <p>4 BY MR. CORRELL:</p> <p>5 Q. What information do you possess,</p> <p>6 Ms. Carter, that leads you to believe that Southwest</p> <p>7 Airlines supports abortion?</p> <p>8 A. When the union representatives, the</p> <p>9 20 women that went, they took a banner that said</p> <p>10 "Southwest Airlines Flight Attendants Under Local 556,"</p> <p>11 and so Southwest Airlines had their name and banner per</p> <p>12 se along with our local marching in that march.</p> <p>13 Q. So Southwest Airlines' actual logo was on</p> <p>14 the banner?</p> <p>15 A. I believe so, yes.</p> <p>16 Q. After lunch we'll get a copy of that</p> <p>17 picture.</p> <p>18 Other than that particular piece of</p> <p>19 information, is there any other piece of information</p> <p>20 you possess that believe shows -- that you believe</p> <p>21 shows Southwest Airlines supports abortion?</p> <p>22 A. Not -- you know, that's -- it's kind of --</p> <p>23 they allowed the lights to be turned pink going into</p> <p>24 that march on the airplanes.</p> <p>25 Q. When you say they allowed it, what do you</p>	<p style="text-align: right;">Page 116</p> <p>1 mean?</p> <p>2 A. Many of the flights that have the mood</p> <p>3 lighting on it, the flight attendants were able to turn</p> <p>4 those lights to pink in support of the women's march</p> <p>5 going into DC that day and coming back from the</p> <p>6 marches -- or from that march.</p> <p>7 Q. How many flights?</p> <p>8 A. Oh, I don't know. There were many. I</p> <p>9 just -- I don't know exactly how many.</p> <p>10 Q. What's your basis for asserting there were</p> <p>11 many?</p> <p>12 A. Because it was put all over the media and</p> <p>13 also on Local 556 page and TWU International's page and</p> <p>14 the AFL-CIO page and on Planned Parenthood's page.</p> <p>15 Q. How does that tell you how many airplanes</p> <p>16 that occurred on?</p> <p>17 A. Oh, it doesn't tell me the number. It's</p> <p>18 just the different people speaking of different flights</p> <p>19 in and out of -- let's say they were coming out of</p> <p>20 Chicago or they were coming out of Vegas or they were</p> <p>21 coming out of Orlando or going into those places. So</p> <p>22 there were -- there were many flights that the cabin</p> <p>23 lights were turned pink.</p> <p>24 Q. You attended Mike Sims' deposition as the</p> <p>25 corporate representative of Southwest Airlines,</p>

<p style="text-align: right;">Page 117</p> <p>1 correct?</p> <p>2 A. Yes, I did.</p> <p>3 Q. And you were there when he testified that</p> <p>4 the lights were turned pink on approximately three to</p> <p>5 four aircraft, correct?</p> <p>6 A. I don't recall that. I don't recall the</p> <p>7 number. It's hard to believe that it was only three or</p> <p>8 four, but if that's what he says, I guess that's what</p> <p>9 he says.</p> <p>10 Q. And other than what you've already</p> <p>11 testified to, do you have any information that</p> <p>12 controverts Mr. Sims's testimony that there were three</p> <p>13 to four flights?</p> <p>14 A. Not -- not as in the number, but I do know</p> <p>15 that there were flights that -- that they had turned</p> <p>16 the lights pink. I don't know the number.</p> <p>17 Q. What is a read-before-fly memo?</p> <p>18 A. I'm sorry?</p> <p>19 Q. What is a read-before-fly memo?</p> <p>20 A. It is a link that you click on to see</p> <p>21 what's going on within the company and different things</p> <p>22 that we're doing as flight attendants and so forth.</p> <p>23 It's just like a little informational thing.</p> <p>24 Q. And are you aware that Southwest Airlines</p> <p>25 issued a read-before-fly memo instructing flight</p>	<p style="text-align: right;">Page 118</p> <p>1 attendants to discontinue this behavior as soon as they</p> <p>2 learned of it?</p> <p>3 A. No, because I wasn't flying at that time so</p> <p>4 I didn't see it on that day.</p> <p>5 Q. Other than the fact that flight attendants</p> <p>6 turned the lights pink, do you have any other evidence</p> <p>7 that Southwest played any role in the decision to turn</p> <p>8 the lights pink?</p> <p>9 A. That I don't know.</p> <p>10 Q. Let's take you next to paragraph 6 of your</p> <p>11 charge. It reads, "Southwest never warned me that</p> <p>12 using Facebook to protect life was inconsistent with</p> <p>13 its work rules."</p> <p>14 Did I read that correctly?</p> <p>15 A. That is correct.</p> <p>16 Q. You were familiar with Southwest Airlines'</p> <p>17 social media policy, correct?</p> <p>18 A. Yes.</p> <p>19 Q. In fact, you had quoted it when you</p> <p>20 reported Brian Talbert to the company, hadn't you?</p> <p>21 A. In regards to an execution or harming</p> <p>22 somebody? Yes.</p> <p>23 Q. So you were aware that Facebook posts</p> <p>24 generally could be inconsistent with the work rules?</p> <p>25 A. Protecting babies, no, I did not.</p>
<p style="text-align: right;">Page 119</p> <p>1 Q. So no matter what you say in a Facebook</p> <p>2 post, if it is pro life, it is not a -- you thought it</p> <p>3 was not a violation of Southwest policy?</p> <p>4 MR. GILLIAM: Objection. Calls for a legal</p> <p>5 conclusion.</p> <p>6 A. No.</p> <p>7 BY MR. CORRELL:</p> <p>8 Q. So what could you say in a Facebook post</p> <p>9 that was pro life that would violate Southwest's policy</p> <p>10 in your opinion as a flight attendant bound by a policy</p> <p>11 that you were familiar with?</p> <p>12 A. I don't think any --</p> <p>13 MR. GILLIAM: Objection. Objection,</p> <p>14 incomplete hypothetical. You can answer.</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. So -- and just to be clear: You don't</p> <p>17 think anything you said could be construed as a</p> <p>18 violation of the social media policy if it was in</p> <p>19 connection with a pro life message?</p> <p>20 A. No, I don't.</p> <p>21 Q. Now, in paragraph 8 of your charge you say,</p> <p>22 "As a result of my Facebook posts and messages that</p> <p>23 opposed abortion. And without prior warning that such</p> <p>24 activity violated its work rules, my employer fired me</p> <p>25 on March 14, 2017."</p>	<p style="text-align: right;">Page 120</p> <p>1 Is that correct?</p> <p>2 A. That is correct.</p> <p>3 Q. Now you were also confronted with the</p> <p>4 balance of Exhibit 1, which consists of another 80</p> <p>5 pages of messages sent to Ms. Stone over three years</p> <p>6 during your fact-finding, correct?</p> <p>7 A. That is correct.</p> <p>8 Q. All of those messages don't concern</p> <p>9 abortion, do they?</p> <p>10 A. No, but they all do -- do concern</p> <p>11 everything that union and what they were representing</p> <p>12 or doing within the union so it was to my local</p> <p>13 president.</p> <p>14 Q. And in paragraph 9, you claim that</p> <p>15 Southwest "engaged in quid pro quo religious</p> <p>16 harassment."</p> <p>17 When you signed this under oath, what did</p> <p>18 you understand that to mean?</p> <p>19 MR. GILLIAM: Objection. Calls for a legal</p> <p>20 conclusion. You can answer.</p> <p>21 BY MR. CORRELL:</p> <p>22 Q. And -- and Ms. Carter, I'm not asking for</p> <p>23 your legal opinion. I'm asking what you were swearing</p> <p>24 to under penalty of perjury.</p> <p>25 MR. GILLIAM: Same objection.</p>

<p style="text-align: right;">Page 121</p> <p>1 A. I believe they did discriminate towards me.</p> <p>2 BY MR. CORRELL:</p> <p>3 Q. But there's a phrase there that says "quid</p> <p>4 pro quo religious harassment." That's what you are</p> <p>5 accusing Southwest of, and you're saying you swear it's</p> <p>6 true that Southwest engaged in quid pro quo religious</p> <p>7 harassment. What did you as a witness mean when you</p> <p>8 swore to that statement?</p> <p>9 MR. GILLIAM: Objection, calls for legal</p> <p>10 conclusion.</p> <p>11 MR. CORRELL: Counsel, how does it call for</p> <p>12 a legal conclusion to ask a witness to explain their</p> <p>13 own affidavit?</p> <p>14 MR. GILLIAM: Well, it's asking what she</p> <p>15 understands quid pro quo religious harassment to mean.</p> <p>16 MR. CORRELL: If I accuse you of a legal</p> <p>17 violation and I swear that it happened, I should be</p> <p>18 able to explain what I think was the violation.</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. What is -- what the words mean in my own</p> <p>21 statement.</p> <p>22 MR. GILLIAM: Is there a question pending?</p> <p>23 MR. CORRELL: Fine.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. Ms. Carter, just let me know what you</p>	<p style="text-align: right;">Page 122</p> <p>1 understand as a witness who was swearing under penalty</p> <p>2 of perjury your own words, "quid pro quo religious</p> <p>3 harassment," meant?</p> <p>4 MR. GILLIAM: And to the extent it calls</p> <p>5 for a legal conclusion, same objection.</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. Okay. Were these your words, Ms. Carter?</p> <p>8 A. Yes, these were my -- these were -- these</p> <p>9 were written within my -- the context of my -- my</p> <p>10 words, yes, but --</p> <p>11 Q. Did you adopt these words --</p> <p>12 A. But my -- my --</p> <p>13 Q. I need to ask some questions here to lay a</p> <p>14 foundation.</p> <p>15 Did you adopt these words here as your own</p> <p>16 when you were swearing to them under penalty of</p> <p>17 perjury?</p> <p>18 A. I'm not -- I'm not understanding. I</p> <p>19 believe that Southwest Airlines violated me when I was</p> <p>20 in my fact-finding meeting when I said I was a</p> <p>21 Christian and that I put those things on my Facebook</p> <p>22 page and referred them back to a women's march that my</p> <p>23 union president took and spent my money for, and --</p> <p>24 Q. And --</p> <p>25 A. -- they -- they supported that and fired me</p>
<p style="text-align: right;">Page 123</p> <p>1 because of my direct dislike and expressing my</p> <p>2 opinions, they violated my Christian rights, yes, I do</p> <p>3 believe they did.</p> <p>4 Q. Having noted counsel's objection, what is</p> <p>5 your understanding of the phrase "quid pro quo</p> <p>6 religious harassment"?</p> <p>7 A. You're going to have to -- you're going to</p> <p>8 have to re -- you're going to have to resay -- you're</p> <p>9 going to have to re --</p> <p>10 Q. Sure. In paragraph 9 where you say, and I</p> <p>11 am paraphrasing here, please correct me if there's some</p> <p>12 confusion created by it, as a result of the foregoing,</p> <p>13 my employer engaged in quid pro quo religious</p> <p>14 harassment. I have omitted the discussion of</p> <p>15 discrimination because that's separate here. My</p> <p>16 employer engaged in quid pro quo religious harassment.</p> <p>17 What did you mean by that?</p> <p>18 A. For me, it's they have been -- they've</p> <p>19 represented -- they -- they -- the company has actually</p> <p>20 promoted other -- how should I say this -- activities,</p> <p>21 and never once -- how do I put this? They protect</p> <p>22 everybody else, such as gay, lesbian, Black Lives</p> <p>23 Matter, gay pride week, but they don't protect me under</p> <p>24 my civil rights as being a Christian.</p> <p>25 Q. So that's what you meant when you said, "My</p>	<p style="text-align: right;">Page 124</p> <p>1 employer engaged in quid pro quo religious harassment"?</p> <p>2 A. I believe that is correct.</p> <p>3 MR. GILLIAM: Objection. Again, calls for</p> <p>4 a legal conclusion. I also think asked and answered.</p> <p>5 A. Yes.</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. Where in this document do you complain that</p> <p>8 Southwest did not offer you a religious accommodation?</p> <p>9 A. They did not offer me a religious --</p> <p>10 anything religious accommodation after -- within my</p> <p>11 fact-finding meeting. I think that they should have</p> <p>12 reached out to me but they did not.</p> <p>13 MR. CORRELL: Move to strike as</p> <p>14 non-responsive.</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. Ms. Carter, this document was what you</p> <p>17 reported to the EEOC as violations of Southwest</p> <p>18 Airlines. Where in this document did you tell the EEOC</p> <p>19 that you were denied religious accommodation?</p> <p>20 MR. GILLIAM: Objection, the letter speaks</p> <p>21 for itself.</p> <p>22 A. Exactly. The letter speaks for itself.</p> <p>23 The whole letter speaks for itself.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. Yeah, but you are my deponent. As you're</p>



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<p>1 sitting here today, can you identify anything in this 2 letter where it says I was denied religious 3 accommodation? 4 MR. GILLIAM: And objection. Same 5 objection. The letter speaks for itself but you can 6 answer. 7 A. They fired me for my speech on my -- my 8 personal Facebook page in protecting babies and with my 9 union going to a women's march and for me to say that I 10 didn't agree with it and protecting babies. 11 BY MR. CORRELL: 12 Q. Anything else on this document that you 13 believe indicates that you reported to the EEOC that 14 you were denied a religious accommodation? 15 MR. GILLIAM: And objection, the letter 16 speaks for itself. You can answer. 17 A. I was never ever given a religious 18 accommodation. They should have known that after I 19 said it in my fact-finding meeting. And again, this 20 letter speaks of all of that. 21 MR. CORRELL: One more issue and then we 22 can stop for the lunch break. 23 BY MR. CORRELL: 24 Q. Do you believe Sonya Lacore discriminated 25 against you on the basis of your religious beliefs?</p>	<p>1 A. I can't speak for her. I know that she 2 agreed on my firing. 3 Q. Other than -- and when you say she agreed 4 to your firing or on your firing, what do you mean by 5 that? 6 A. She signed off on it. 7 Q. How do you know? 8 A. Through the paperwork that was sent to me, 9 and she is our VP of in-flight. It would have to go 10 through her ultimately. 11 Q. Other than her approving of your 12 termination, are you aware of anything else that leads 13 you to believe that Ms. Lacore discriminated against 14 you on the basis of your religious beliefs? 15 A. No. 16 Q. Are you aware of anything indicating that 17 Ms. Lacore discriminated against you on the basis of 18 your status as a union objector? 19 A. No, not of my knowledge. 20 Q. Who is Dave Kissman? 21 A. I believe he is another -- I think he is 22 the western side, and so we're split up in different 23 categories and since I'm in Colorado, I think he is our 24 main liaison that we go through under -- I think it's 25 the labor department but I'm not sure.</p>
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<p>1 Q. Do you believe Mr. Kissman discriminated 2 against you on the basis of your religious beliefs? 3 MR. GILLIAM: Objection, calls for legal 4 conclusion. You can answer. 5 A. I never had any dealings with Mr. Kissman. 6 I have no idea. 7 BY MR. CORRELL: 8 Q. Well, and separate from a legal conclusion, 9 can you identify anything that led you to believe that 10 Mr. Kissman was acting to discriminate against you? 11 A. No, except that they should have known 12 after my fact-finding meeting. Everyone of these 13 people should have known that I was a Christian because 14 this all was sent to them. 15 Q. What role did Mr. Kissman play in your 16 fact-finding? 17 A. I don't know to be quite honest with you 18 because I never had contact with him. 19 Q. Did you have contact with him in connection 20 with your step 2? 21 A. No, I did not. 22 Q. Did you have contact with him in connection 23 with your last chance agreement? 24 A. No, I did not. 25 Q. Do you have any reason to believe</p>	<p>1 Mr. Kissman discriminated against you on the basis of 2 your status as a union objector? 3 A. Again, I cannot answer that. I do not know 4 what's in his head. 5 Q. Well, and that's -- I know you can't. I'm 6 just making sure that you're not going to show up at 7 trial and tell me, here's what Dave Kissman said one 8 time. So I'm just making sure that there's nothing 9 else you want to report while you're under oath here 10 today that would lead you to believe that he 11 discriminated against you because you are an objector? 12 A. No. 13 MR. CORRELL: Okay. I think that's a good 14 point to take a lunch break if that works for everybody 15 else? 16 MR. GILLIAM: Sure. How much time? 17 MR. CORRELL: Can we go off the record 18 first? 19 VIDEOGRAPHER: Yes, sir. We are going off 20 the record at 12:12 p.m. 21 (Break from 12:12 p.m. until 1:01 p.m.) 22 VIDEOGRAPHER: We are going back on the 23 record at 1:01 p.m. 24 BY MR. CORRELL: 25 Q. Ms. Carter, do you understand that you are</p>



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<p>1 seeking damages from Southwest as part of your claim in 2 this lawsuit?</p> <p>3 A. Yes.</p> <p>4 Q. All right. Have you made an effort to 5 calculate what you believe you are owed by Southwest 6 Airlines?</p> <p>7 A. No.</p> <p>8 Q. Do you believe you are owed back pay by 9 Southwest Airlines?</p> <p>10 A. Yes.</p> <p>11 Q. How much do you believe they owe you?</p> <p>12 A. I'm not sure how they base it all, but I 13 would imagine it's based on what I was flying at the 14 time.</p> <p>15 Q. And if I were to tell you from looking at 16 prior documents that it looks like you were earning 17 about \$15,000 per year as a flight attendant, is that 18 consistent with your recollection?</p> <p>19 A. The last, the last couple years, yes.</p> <p>20 Q. Had you remained employed with Southwest 21 Airlines, do you believe you would have continued to be 22 involved with Project Purpose?</p> <p>23 A. On the back end, yes.</p> <p>24 Q. What do you mean?</p> <p>25 A. I believe I would have -- yes.</p>	<p>1 Q. When you say "on the back end," what do you 2 mean?</p> <p>3 A. Just handling the day-to-day stuff with the 4 education part, making sure that everything was set for 5 the teachers.</p> <p>6 Q. Would you have been working less for 7 Project Purpose?</p> <p>8 A. I would imagine so, yes, if I was still 9 working at Southwest, yes.</p> <p>10 Q. And what about Divine Intervention, do you 11 believe you would have worked with Divine Intervention 12 if you'd remained employed at Southwest Airlines?</p> <p>13 A. Divine Intervention, I would not have gone 14 as far as working with them if I would have remained at 15 Southwest, it would have taken away much more of my 16 time.</p> <p>17 Q. At the time you were terminated from 18 Southwest Airlines, did you have a plan to increase the 19 amount you were flying?</p> <p>20 A. Yes, I did.</p> <p>21 Q. What was your plan?</p> <p>22 A. To fly a full line.</p> <p>23 Q. What does that mean?</p> <p>24 A. It means that when I got my schedule from 25 80 to, let's say, 100, it just depends on what the</p>
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<p>1 trips are here in Denver, I would fly my line.</p> <p>2 Q. When did you form the plan to begin flying 3 a full line?</p> <p>4 A. When my -- the reason for me not flying a 5 full line in the past three years before I was let go 6 was due to my husband having a drinking problem and 7 leaving my daughter at home by herself at that time; 8 she was too young. So, she is now 17, has her driver's 9 license, and I also have other means for her to stay 10 with someone as I fly, or if I was able to fly.</p> <p>11 Q. And when did your daughter become old 12 enough, in your opinion, to begin left being home by 13 herself as you described?</p> <p>14 A. Well, at the time, I was actually seeking 15 somebody to -- I don't have family near me here, so I 16 was actually seeking somebody at the time that I was 17 fired, and prior to that, to help with some type of day 18 care or per se, and within my home schooling family I 19 had found somebody at that point.</p> <p>20 Q. And was there a cost associated with that 21 day care?</p> <p>22 A. Yeah, there would have been. Not -- not a 23 whole lot, but enough for -- I mean, it would still be 24 good for me to fly, let's put it that way.</p> <p>25 Q. How much was the day care going to cost?</p>	<p>1 A. I would say for each visit, maybe \$300, and 2 that would be for a three-day -- three-day trip, so a 3 hundred dollars a day.</p> <p>4 Q. So was this care designed to take care of 5 your daughter overnight?</p> <p>6 A. Yes.</p> <p>7 Q. So it was a hundred dollars a day including 8 overnight care?</p> <p>9 A. Yeah.</p> <p>10 Q. And how many days per week were you 11 expecting to be gone while you were flying a full line?</p> <p>12 A. When I used to fly a full line, it was 13 usually three to four days a week.</p> <p>14 Q. And I know this will be sensitive testimony 15 and we will go ahead and designate this portion of the 16 transcript confidential.</p> <p>17 You mentioned your husband had a drinking 18 problem at the time. When did that begin?</p> <p>19 A. Well, he had been sober for about six 20 years, and it began pretty much when we moved here to 21 Denver. It started over again.</p> <p>22 Q. When was that?</p> <p>23 A. So that would have been 2012. And, you 24 know, on and off it became a huge problem again.</p> <p>25 Q. Is that a problem that has been resolved at</p>

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1 this stage, or is it still an ongoing issue in your  
2 marriage?

3 A. It's not as bad as it was, but it is still  
4 an ongoing issue. The thing is is that now my daughter  
5 is 17, going on 18, she'll be going off to college  
6 within the next year, and so it would not be an issue  
7 at all once she goes off to college.

8 Q. But during this period you were  
9 uncomfortable leaving her in your husband's care?

10 A. Yes, I was, very uncomfortable.

11 Q. Are you still married to your husband who  
12 you are referencing here?

13 A. We are currently living together but we are  
14 separated.

15 Q. Understood. And again, just -- and I'm not  
16 trying to pry too deeply into this, I just want to have  
17 some context on the decisions you were making about  
18 returning to the line.

19 A. Yes.

20 Q. When did y'all first get married?

21 A. 1998.

22 Q. And have you been married continuously to  
23 the present?

24 A. Yes.

25 Q. And what is your husband's name?

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1 this marriage is because I don't have that means right  
2 now to be able to earn that for my daughter and I.

3 Q. Was that true when you were working at  
4 Divine Intervention without pay?

5 A. At the time, yes, but my daughter was  
6 actually traveling with me, which made it -- because I  
7 home school, so she's been home schooled for the last  
8 eight years, so she was actually traveling with me to  
9 St. Louis.

10 Q. Do you still seek to be reinstated as a  
11 flight attendant at Southwest Airlines?

12 A. I would love to be reinstated as a flight  
13 attendant at Southwest Airlines.

14 Q. Are you seeking other damages aside from  
15 back pay and -- and I guess not damages, but other  
16 relief besides back pay and reinstatement as far as you  
17 know?

18 A. Yes, but I can't put a number on that.

19 And --

20 Q. Okay. What category is it?

21 A. It really harmed my -- it harmed me. let's  
22 put it this way. It harmed my family in other ways,  
23 and it harmed my daughter. She saw me go through  
24 things that rocked my world after losing my job. To be  
25 quite honest with you, though, and this is -- I'm

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1 A. His name is Jhara, and it's spelled  
2 J-H-A-R-A, last name is Carter.

3 MR. CORRELL: And I think we can stop the  
4 confidential designation there because I don't intend  
5 to ask any more questions on that topic.

6 BY MR. CORRELL:

7 Q. How much more were you expecting to earn if  
8 you began flying a full line as opposed to what you had  
9 been doing in the years prior to your termination?

10 A. I can't even speculate on that due to the  
11 fact that, you know, there's VJA pickup. I -- I  
12 personally was going to be flying a lot more due to the  
13 fact that, if I had my job I still wouldn't be in the  
14 position that I am with my husband, so more than likely  
15 online being the topped out flight attendant, I can  
16 make a hundred-plus.

17 Q. Per year?

18 A. Yes.

19 MR. CORRELL: And again we will make this  
20 confidential just because I just want to be sensitive  
21 to this issue for you, Mrs. Carter.

22 BY MR. CORRELL:

23 Q. But when you say you wouldn't be in this  
24 position with your husband, what do you mean?

25 A. If I -- the reason that I'm still here in

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1 not -- I didn't go into this seeking money. I went  
2 into this because I believed I was fired wrongly. I'd  
3 never been in trouble at my job before. I loved my job  
4 and I was a good flight attendant and I was a good  
5 employee. And you can't put a price on the career I  
6 had for 20 years that I loved.

7 Q. Do you understand that you are also seeking  
8 damages associated with costs that you incurred seeking  
9 medical treatment; is that correct?

10 A. Yes.

11 Q. What medical treatment did you seek as a  
12 result of your termination?

13 A. I was on a trip to St. Louis a couple  
14 months after I was fired, and because of the stress and  
15 just, you know, preparing for my second step meeting,  
16 everything, just going through all of that, because I  
17 never dreamed that I would be going through that, I had  
18 basically what they call a walking stroke, which means  
19 I did not pass out, but I have no recollection for at  
20 least six hours, they think longer than that, and I  
21 ended up, once I finally started coming to and talking  
22 to people, one being my husband, told me I needed to  
23 get myself to the emergency room, which I did, and they  
24 kept me for -- I think I got in there around 11 o'clock  
25 at night, something like that, and I was there until

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1 about 7:00 in the morning the next day, and the only  
2 reason they released me was because, while I was  
3 working with Project Purpose, I -- we had a prayer  
4 meeting that next day that I actually was in charge of  
5 so I was on a business per se outing or whatever in  
6 St. Louis and I ended up accruing -- accruing, you  
7 know, some -- or not legal, but some medical bills from  
8 that.

9 Q. And just so I understand, when you say the  
10 phrase "walking stroke," and I understand that you're  
11 not a doctor --

12 A. Right.

13 Q. -- is it your understanding that that's  
14 actually a stroke like loss of oxygen to the brain or  
15 is this something --

16 A. Yes. Yeah. It's lack of -- loss of -- my  
17 blood pressure was spiking so high and my heart rate  
18 was so erratic, and later to find out the reason for  
19 all of that was just due to the -- the fight-and-flight  
20 response that your body goes through, and for months I  
21 hadn't been sleeping, I hadn't been eating, the stress  
22 was overtaking me regarding the fact that I lost my  
23 career.

24 Q. Who gave you the diagnosis that a walking  
25 stroke was caused by losing your job?

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1 that -- who the doctor was or is that somebody else?

2 A. No, that's somebody else. That's my doctor  
3 here in Denver.

4 Q. Do you have any documents from your visit  
5 to the hospital in St. Louis for the walking stroke?

6 A. Yeah, I believe that -- I mean, I sent it  
7 to my attorney, I would figure that you'd have it.

8 MR. CORRELL: So, counsel, the only  
9 document that I have seen is a bill from St. Mary's  
10 Hospital. I haven't seen any medical records that were  
11 in Ms. Carter's possession. Are there other documents  
12 that --

13 MR. GILLIAM: No -- sorry to talk over you.  
14 Yeah, that's correct. That's the only thing we had to  
15 produce.

16 MR. CORRELL: Okay. Just confirming.

17 MR. GILLIAM: Sure. Sure.

18 BY MR. CORRELL:

19 Q. After you left St. Louis following the  
20 incident there -- and I just want to confirm, was that  
21 St. Mary's Hospital where you were treated?

22 A. Yes, that is correct.

23 Q. After you left St. Mary's Hospital, did you  
24 get any additional treatment for a walking stroke?

25 A. I did. I went to my doctor when I got home

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1 A. Well, the -- the doctor. I had explained  
2 to him the stuff that I was going through and he told  
3 me that just an overwhelming amount of stress can cause  
4 these types of things. He didn't say it was due to me  
5 losing my job. He just said if those are the stresses  
6 that are causing this, then I needed to, you know, seek  
7 help for it and then he wanted to make sure that he put  
8 me on a blood pressure medicine so that I could  
9 continue my trip while I was there in St. Louis.

10 Q. When you were talking to that doctor, did  
11 you also relay to him what you shared with us today  
12 about the situation with your spouse?

13 A. I told him that I was having some also  
14 marital problems, too, yes, I did.

15 Q. Who -- what is the name of the doctor that  
16 you are referencing?

17 A. You know what, I do not remember. It was  
18 the emergency room physician, and actually I think  
19 there were two at one point because they had sent me  
20 back to get a CT scan to make sure that I didn't have a  
21 blood clot or anything going on, and then I think the  
22 other doctor, there was somebody else that came in so I  
23 can't tell you for sure who that is.

24 Q. If I say the name Dr. Collin Ballain,  
25 B-A-L-L-A-I-N, does that ring any bells as to who

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1 and got a -- you know, some blood pressure medicine and  
2 then some other -- I went to, later on, a psychologist  
3 and his name is David Ragsdale.

4 Q. Prior to your termination at Southwest, had  
5 you ever been on blood pressure medication before?

6 A. No.

7 Q. Had you ever been diagnosed as  
8 hypertensive?

9 A. No.

10 Q. Are you still on blood pressure medication?

11 A. I -- yes, I am.

12 Q. Other than going to your doctor at home, is  
13 that Dr. Ballain?

14 A. Yes.

15 Q. And going to Dr. Ragsdale, the  
16 psychologist, did you see any other professionals for  
17 treatment regarding your walking stroke?

18 A. No, huh-uh, no, because my doctor, she was  
19 able to get -- to -- to finally regulate some sort of  
20 my blood pressure, Dr. Ballain was, and then just with  
21 the stress level, my psychologist, and he -- he  
22 basically -- well, he diagnosed me with PTSD, which  
23 means it's a fight and flight, you're constantly in a  
24 turmoil, you never can release it, and he was able to  
25 help me through EMDR, which is -- it's a -- it's like a

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1 brain wave-type thing that they do for you and it helps  
2 a lot.

3 Q. So Dr. Ragsdale told you he was actually  
4 diagnosing you with PTSD?

5 A. He said I had the signs within -- I mean,  
6 he gave me a test and went through all this stuff with  
7 me. Yes, he said that I was -- I had classic signs of  
8 PTSD.

9 Q. Did you tell Dr. Ragsdale that you had been  
10 exposed to death or threatened death in connection with  
11 your termination?

12 A. I'm sorry. Repeat that?

13 Q. Did you tell Dr. Ragsdale that you had been  
14 exposed to death or the threat of death in connection  
15 with your termination?

16 A. No.

17 Q. Did you tell Dr. Ragsdale that you had been  
18 exposed to actual or threatened serious physical injury  
19 in connection with your termination?

20 A. No.

21 Q. Did you tell Dr. Ragsdale that you had been  
22 exposed to actual or threatened sexual violation in  
23 connection with your termination?

24 A. No.

25 Q. Did -- did any discussion of death, serious

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1 physical injury or sexual violation come up in your  
2 discussions with Dr. Ragsdale?

3 A. No.

4 Q. Are you still suffering from the symptoms  
5 of PTSD?

6 A. The stress level has come way down with the  
7 visit and the EMDR that he did with me, and just with  
8 also, too, keeping my blood pressure medicine -- you  
9 know, my blood pressure, trying to keep it equalized.  
10 yes, and -- and he gave me other mechanisms to help  
11 with that.

12 Q. And just so I'm clear on your primary care  
13 physician, is it Colleen Ballain?

14 A. Yes.

15 Q. Okay. I was mispronouncing her name. I  
16 thought it was Collin. Thank you.

17 A. Yeah, that's okay.

18 Q. Are you still receiving treatments from  
19 Dr. Ragsdale?

20 A. I have been going into him, it's more  
21 sporadic because I haven't had as much of the issues  
22 that I had been dealing with before, but yes, I still  
23 have seen him. It's been -- it's been a while due to  
24 the COVID stuff that we've had going on, so it --  
25 that's kind of put us behind the scenes I guess -- or

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1 not behind the scenes right now. So I just do more  
2 stuff at home.

3 (Deposition Exs. 9 and 10 marked)

4 BY MR. CORRELL:

5 Q. I am going to show you two exhibits that  
6 we're going to look at together that are related to  
7 Dr. Ragsdale. The first one should start populating  
8 here in just a second. Then I'll go ahead and release  
9 the second one while you look at the first one.

10 A. Okay.

11 Q. And the second one should be available to  
12 you as well. So those will be Exhibits 9 and  
13 Exhibit 10.

14 A. Okay. I've got 9. Let me go back and see.  
15 I guess I have to keep refreshing every time. And  
16 Exhibit 10. Yes. Okay.

17 Q. Do you recognize these two documents?

18 A. I do.

19 Q. What are these two documents?

20 A. This is the billing from Dr. Ragsdale.

21 Q. So first of all, other than these two  
22 documents, do you possess any other documents  
23 concerning your work with Dr. Ragsdale?

24 A. Not at the moment. This -- I think this is  
25 the most current.

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1 Q. Do you have any other documents about your  
2 treatment with Dr. Ragsdale in your possession?

3 A. No.

4 Q. And as you can imagine, what I'm trying to  
5 figure out is if there's anything else I need to get  
6 from you about your interactions with Dr. Ragsdale  
7 since he's an issue in this case.

8 MR. GILLIAM: Can I interject here for just  
9 a question?

10 MR. CORRELL: Sure.

11 MR. GILLIAM: Did -- were you able to get  
12 those documents that we -- that you had subpoenaed?

13 MR. CORRELL: We have asked them to be  
14 produced and the doctors are not moving quickly.

15 MR. GILLIAM: Oh. Okay. We -- we do have  
16 something.

17 MR. CORRELL: Okay.

18 MR. GILLIAM: And so, yeah, we should get  
19 that to you.

20 MR. CORRELL: Okay. Is there a way to get  
21 that produced basically now while I continue the  
22 deposition so that I can make sure there's nothing I  
23 need to ask Ms. Carter about?

24 MR. GILLIAM: Yeah. Let me -- let me get  
25 that to you.

<p style="text-align: right;">Page 145</p> <p>1 MR. CORRELL: Thank you.</p> <p>2 MR. GILLIAM: I apologize. I didn't -- I</p> <p>3 thought you had that, so --</p> <p>4 MR. CORRELL: No worries. No, we're</p> <p>5 waiting on them to produce as well.</p> <p>6 MR. GILLIAM: Okay. I will send you what</p> <p>7 we have.</p> <p>8 MR. CORRELL: Thank you. I appreciate</p> <p>9 that. That will make this much more efficient.</p> <p>10 BY MR. CORRELL:</p> <p>11 Q. Ms. Carter, on these two documents, do you</p> <p>12 see where it lists dates of service on -- in the first</p> <p>13 column on both pages?</p> <p>14 A. Mm-hmm, I sure do.</p> <p>15 Q. To your recollection, does that actually</p> <p>16 capture -- accurately capture all of the dates that you</p> <p>17 saw Dr. Ragsdale?</p> <p>18 A. I believe so.</p> <p>19 Q. And so is it your understanding that you</p> <p>20 did not see -- and I see actually that the two are</p> <p>21 cumulative it now appears, the first one has --</p> <p>22 Exhibit 10 appears to have everything that is also</p> <p>23 on -- no, it does not. They're not -- they're not.</p> <p>24 They're not cumulative.</p> <p>25 Is it your understanding you did not see</p>	<p style="text-align: right;">Page 146</p> <p>1 Dr. Ragsdale prior to July 12, 2018?</p> <p>2 A. Let me look because I don't remember what</p> <p>3 it was. I know it was some time after the fact that I</p> <p>4 went and saw him because I was looking for a specific</p> <p>5 counselor, a Christian counselor, but also to the fact</p> <p>6 that if you're -- yeah, I mean, that -- yes. So I --</p> <p>7 the date.</p> <p>8 Q. Did you see anybody else for counseling or</p> <p>9 psychological services prior to July 12, 2018,</p> <p>10 following your termination?</p> <p>11 A. No, I did not.</p> <p>12 Q. You see here a list of charges and</p> <p>13 payments, correct?</p> <p>14 A. Correct.</p> <p>15 Q. Did you personally pay those charges?</p> <p>16 A. Yes, I did.</p> <p>17 Q. Were any of those charges reimbursed to you</p> <p>18 by your insurance or any other source?</p> <p>19 A. No, they were not.</p> <p>20 Q. Other than Dr. Ragsdale, Dr. Ballain, and</p> <p>21 St. Mary's Hospital, are there any other physicians or</p> <p>22 medical professionals for whom you are seeking to --</p> <p>23 about whom you are seeking to recover damages in this</p> <p>24 lawsuit?</p> <p>25 A. No. No.</p>
<p style="text-align: right;">Page 147</p> <p>1 Q. I know we've talked at some length earlier</p> <p>2 today about your post Southwest Airlines employment and</p> <p>3 activities. Outside of that, have you received income</p> <p>4 from any other sources aside from income normally</p> <p>5 coming in to your home from your spouse?</p> <p>6 A. No. No, I mean, I've done a few little</p> <p>7 things for friends here and there, I'm a photographer,</p> <p>8 but it's -- it doesn't amount to anything.</p> <p>9 Q. How much is "not anything"?</p> <p>10 A. I'd say less than \$500 give or take.</p> <p>11 Q. Any other sources of income that you have</p> <p>12 received? It doesn't have to be worked-for income. It</p> <p>13 could be money given to you by other people.</p> <p>14 A. What, gifts you mean?</p> <p>15 Q. Money you've solicited to support yourself.</p> <p>16 It doesn't need to be Christmas presents or birthday</p> <p>17 presents, but any kind of --</p> <p>18 A. I didn't. I didn't solicit anything.</p> <p>19 Q. Okay.</p> <p>20 MR. GILLIAM: And counsel, wouldn't you</p> <p>21 know it, my Outlook has crashed. I tried to send it to</p> <p>22 you. But we will try to get it to you before this</p> <p>23 deposition is up. So...</p> <p>24 MR. CORRELL: Sure. No, I appreciate that.</p> <p>25 BY MR. CORRELL:</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. Who is Brett Nevarez?</p> <p>2 A. Brett Nevarez was -- well, he was a flight</p> <p>3 attendant, for one, but he was also voted in or placed</p> <p>4 in office I should say the first go-round, and he, I</p> <p>5 believe, was the first or second vice president of the</p> <p>6 union.</p> <p>7 Q. To your knowledge, is he still in that</p> <p>8 role?</p> <p>9 A. No, he was part of Audrey's team.</p> <p>10 Q. What role, if any, did he play in your</p> <p>11 termination, to your knowledge?</p> <p>12 A. That, I don't know per se.</p> <p>13 Q. When you say "per se," what do you mean?</p> <p>14 A. I mean, I don't -- I don't know if he</p> <p>15 played any role except maybe -- no, I take that back.</p> <p>16 He would have played a role when I went before the</p> <p>17 board to go to arbitration.</p> <p>18 Q. When did that occur?</p> <p>19 A. I want to say late late -- well, it would</p> <p>20 have been summertime of 2018 -- no.</p> <p>21 Q. Would it be before --</p> <p>22 A. Would that be right?</p> <p>23 Q. This was before the arbitration, right?</p> <p>24 A. Yeah, before the arbitration. So maybe it</p> <p>25 would have been the summer of 2017. I'm getting my</p>



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1 dates, years mixed up.  
 2 Q. What happened when you went before the  
 3 board in the summer of 2017?  
 4 A. I had to plead my case to the board for  
 5 them to take it to arbitration and they denied it.  
 6 Q. So 556 declined to take your case to  
 7 arbitration?  
 8 A. That is correct.  
 9 Q. Was Ms. Stone on that board?  
 10 A. Yes.  
 11 Q. Do you know if she voted or recused  
 12 herself?  
 13 A. I do not know.  
 14 Q. Do you know what the vote was among the  
 15 board members?  
 16 A. That -- I wasn't there. I don't either.  
 17 Q. Did they tell you why they weren't taking  
 18 your case to arbitration?  
 19 A. No, they did not. They just said they  
 20 denied it.  
 21 Q. So you sought a release from the union at  
 22 the first arbitration, correct?  
 23 A. Yes, I did.  
 24 Q. At that point in time it was your  
 25 understanding that the union would not take your case

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1 forward?  
 2 A. They had already denied it.  
 3 Q. And that's what I'm just confirming is that  
 4 the time you sought the release they had already told  
 5 you we're not going to take your case to arbitration?  
 6 A. That is correct.  
 7 Q. Who is Cuyler Thompson, spelled  
 8 C-U-Y-L-E-R?  
 9 A. He was our recording secretary.  
 10 Q. What role, if any, did Mr. Thompson play in  
 11 your termination, if you know?  
 12 A. I would imagine he was probably one that  
 13 sat on the board to deny my going to arbitration as  
 14 well. That would be the only thing that he would be  
 15 involved in.  
 16 Q. Was he there?  
 17 A. What do you mean? On the board that day?  
 18 Q. Well, when you -- when you presented your  
 19 case to the board, was this a physical meeting where  
 20 you stood with a group of people or --  
 21 A. No, it was actually a phone conver -- or a  
 22 phone meeting.  
 23 Q. So as you sit here today, you do know that  
 24 Brett Nevarez was on that call?  
 25 A. I believe so. I believe that -- I believe

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1 so because they have to have -- I forget how many board  
 2 members that are there.  
 3 Q. But you don't know for sure if Mr. Thompson  
 4 was there?  
 5 A. I don't know for sure, no.  
 6 Q. And I think this is a name similar to one  
 7 we have heard earlier, but it's spelled differently so  
 8 I don't know if it's the same person. A Lyn, L-Y-N,  
 9 Montgomery, M-O-N-T-G-O-M-E-R-Y?  
 10 A. Okay.  
 11 Q. Who is Lyn Montgomery?  
 12 A. Lyn Montgomery used to be our grievance  
 13 chair. Audrey fired her. So at that point she would  
 14 have not been on the -- on the board when I went  
 15 through.  
 16 Q. This name is actually coming from the  
 17 initial disclosures provided by your counsel in this  
 18 case, and Ms. Montgomery's title here is listed as  
 19 president of Local 556.  
 20 A. That is what she is now.  
 21 Q. I see. When did that occur?  
 22 A. Well, it was after I was fired so that  
 23 would have been 2018.  
 24 Q. What role, if any, did Ms. Montgomery play  
 25 in your termination, to your knowledge?

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1 A. She played none.  
 2 Q. Have you had any communications with  
 3 Ms. Montgomery since your termination other than the  
 4 one we have already discussed today?  
 5 A. Yes, we are friends.  
 6 Q. Have you communicated with Ms. Montgomery  
 7 about any aspect of this case since it was filed in  
 8 September of 2018 I believe?  
 9 A. She knows of my case, yes. I mean, she's  
 10 the president of the union and she's also a friend of  
 11 mine.  
 12 Q. When is the last time you spoke to Lyn  
 13 Montgomery about your case?  
 14 A. It would have been last December.  
 15 Q. So in December of 2019, you spoke to Lyn  
 16 Montgomery about your case?  
 17 A. Not about the case, but, you know, I spoke  
 18 to her.  
 19 Q. When is the last time you spoke to her  
 20 about the case?  
 21 A. She can't discuss the case so we don't  
 22 discuss the case. We are friends.  
 23 Q. Have you ever talked to Lyn Montgomery  
 24 about Audrey Stone?  
 25 A. In the past, yes.

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1 Q. When is the last time you spoke to Lyn  
2 Montgomery about Audrey Stone?

3 A. It would have been before she became  
4 president, so that would have been, what, 2000, I don't  
5 know, '18.

6 Q. I'm not going to try to pronounce this last  
7 name, Ms. Carter, but I'll spell it for you. Who is  
8 Chad K-L-E-I-B-S-C-H --

9 A. Okay.

10 Q. -- E-I-D-E-L?

11 A. He is -- and I know who you are talking  
12 about. He is a board member.

13 Q. What role, if any, did he play in your  
14 termination to your knowledge?

15 A. He didn't play any.

16 Q. Has he had any involvement in your lawsuit?

17 A. No.

18 Q. Have you communicated with him about your  
19 lawsuit?

20 A. No.

21 Q. Have you communicated with him about Audrey  
22 Stone?

23 A. No.

24 Q. Who is LaTonia Paul Benoit, B-E-N-O-I-T?

25 A. She is another board member.

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1 Q. I'm sorry. I misspoke. Have you  
2 communicated with Mr. Parrott about your lawsuit?

3 A. No.

4 Q. Have you communicated with Mr. Parrott  
5 about Audrey Stone?

6 A. No.

7 Q. Who is Key, K-E-Y, Ander, A-N-D-E-R, Early?

8 A. I think she is on the board as well. I  
9 just don't know what her title is.

10 Q. What role, if any, did Ms. Early have in  
11 your termination, if you know?

12 A. I don't believe any.

13 Q. Have you ever communicated with Ms. Early  
14 about your lawsuit?

15 A. No.

16 Q. Have you communicated with Ms. Early about  
17 Audrey Stone?

18 A. No.

19 Q. I believe Becky Parker is who you  
20 identified as one of the two people assisting you with  
21 your grievance in 2017; is that correct?

22 A. That is correct.

23 Q. Since that time, have you had any  
24 communications with Becky Parker regarding your  
25 lawsuit?

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1 Q. What role, if any, did Ms. Benoit play in  
2 your termination, if you know?

3 A. I -- that I don't know because she was in  
4 the union prior to me being fired. I'm just not sure  
5 what her role was.

6 Q. Have you ever spoken or communicated -- I  
7 shouldn't say spoken. Have you ever communicated with  
8 Ms. Benoit about your lawsuit?

9 A. No.

10 Q. Have you ever communicated with Ms. Benoit  
11 about Audrey Stone?

12 A. No.

13 Q. Who is John Parrott?

14 A. He is and has been the union controller,  
15 takes care of all the finances.

16 Q. What role, if any, did Mr. Parrott have in  
17 your termination, if you know?

18 A. I don't know if he was at that board  
19 hearing of mine or not.

20 Q. Any other roles that you believe he may  
21 have had in your termination?

22 A. Not that I know of.

23 Q. Have you communicated with Mr. Parrott  
24 about your termination?

25 A. I --

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1 A. No, I have not.

2 Q. Have you had any communications with Becky  
3 Parker regarding Audrey Stone?

4 A. No.

5 Q. Other than what we've discussed already,  
6 and that is Ms. Parker's role advising you in  
7 connection with your grievance, are you aware of  
8 Ms. Parker playing any other role in the decision to  
9 terminate your employment?

10 A. No.

11 Q. Who is Jessica Parker?

12 A. She is on the board. She is one of the  
13 ones that's on the -- heads up now the women's  
14 committee, and she is also the Denver based rep so  
15 she's a DEBM. So she sits on the board.

16 Q. And what was the acronym you just  
17 mentioned, DEBM?

18 A. It's a DEBM. It's a -- it's a base --  
19 she's actually on the board but she represents the  
20 Denver base.

21 Q. And just so we get it clear on the record,  
22 would that be D-E-B-M?

23 A. Yeah.

24 Q. Thank you.

25 A. That's the acronym for -- I forget what

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1 it's called.

2 Q. What role, if any, did Ms. Parker play in  
3 your termination, if you know?

4 A. I think she may have been on the board the  
5 day that my grievance came to the board.

6 Q. Any other activities by Ms. Parker that you  
7 are aware of concerning your termination?

8 A. Not that I know of.

9 Q. Have you communicated with Ms. Parker at  
10 all about your lawsuit?

11 A. No.

12 Q. Have you communicated with Ms. Parker at  
13 all about Audrey Stone?

14 A. No.

15 And if you don't mind, I'm just going to  
16 step right over here and close this door again. My dog  
17 had gone out and she left it --

18 Q. Go ahead.

19 A. That's what you get when you have a  
20 120-pound bloodhound --

21 Q. That's a big dog.

22 A. -- who can open the door.

23 Q. Earlier today I was asking you about the  
24 individuals who attended your fact-finding meeting and  
25 we covered Mr. Schneider, Ms. Jones, Ms. Gutierrez and

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1 Ms. Emlet. I believe I accidentally omitted

2 Ms. Barnett. Do you recall Edie Barnett?

3 A. I do, yes.

4 Q. And she participated in your fact-finding  
5 via telephone, correct?

6 A. Yes.

7 Q. What information, if any, do you have that  
8 you believe shows that Ms. Barnett acted against you  
9 based on your religious beliefs?

10 A. I don't have any.

11 Q. And do you have any information that you  
12 believe shows that Ms. Barnett acted against you  
13 because you were a union objector?

14 A. No.

15 Q. Do you have any information that you  
16 believe shows that Tammy Shaffer acted against you  
17 because of your religious beliefs?

18 A. No.

19 Q. Do you have any information that you  
20 believe shows that Tammy Shaffer acted against you  
21 because you are a union objector?

22 A. No.

23 Q. What role, if any, do you believe Tammy  
24 Shaffer played in your termination?

25 A. That, I don't know.

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1 Q. Who is Greg Hofer?

2 A. Greg Hofer is a flight attendant and a  
3 friend of mine.

4 Q. What role, if any, did Mr. Hofer play in  
5 the termination of your employment with Southwest, if  
6 you know?

7 A. He didn't play any role.

8 Q. Have you had any communications with  
9 Mr. Hofer about your lawsuit?

10 A. He knows of my lawsuit, but no.

11 Q. Have you had any communications with  
12 Mr. Hofer about Audrey Stone?

13 A. Just in the -- just in the past about  
14 things about the union and what they were doing.

15 Q. When is the last time you recall having  
16 communications with Greg Hofer about Audrey Stone?

17 A. Oh gosh. It would have been when we were  
18 both flying so that would have been 2017.

19 Q. Who is Kent Hand?

20 A. Another flight attendant and very good  
21 friend.

22 Q. What role, if any, did Mr. Hand play in the  
23 process of your termination, if you know?

24 A. He didn't play any role in it.

25 Q. Have you communicated with Mr. Hand about

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1 your lawsuit?

2 A. He knows of it.

3 Q. When is the last time you communicated with  
4 Mr. Hand about your lawsuit?

5 A. Not about my lawsuit. I mean, we talk a  
6 lot. I mean, he's a very good friend of mine.

7 Q. Have you communicated with Mr. Hand about  
8 Audrey Stone?

9 A. No.

10 Q. Who is Bill Holcomb?

11 A. He was also a flight attendant.

12 Q. Do you have any idea -- and just so you  
13 know, Ms. Carter, I'm going through the list of people  
14 identified as having information relevant to this case.  
15 I'm not asking you to tell me based on why your lawyers  
16 put them on here. I'm just trying to get your  
17 knowledge of these people as it relates to your  
18 termination and the events of the case just so you know  
19 what we're doing here.

20 A. Okay.

21 Q. So did Mr. Holcomb play any role in, to  
22 your knowledge, the termination of your employment from  
23 Southwest Airlines?

24 A. Not that I know of.

25 Q. You've mentioned a couple of these other

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1 folks are your friends. Is Mr. Holcomb one of your  
 2 friends?  
 3 A. No, I know of him, but no, he was -- he was  
 4 not a friend. He was an acquaintance flight attendant.  
 5 Q. Have you communicated with Mr. Holcomb  
 6 about your lawsuit?  
 7 A. No.  
 8 Q. Have you communicated with Mr. Holcomb  
 9 about Audrey Stone?  
 10 A. No.  
 11 Q. And earlier we got some testimony about  
 12 Holly Immamovic. To your knowledge, did Ms. Immamovic  
 13 play any role in Southwest's decision to terminate your  
 14 employment?  
 15 A. No.  
 16 Q. Is south -- is Ms. Immamovic still  
 17 separated from Southwest Airlines as far as you know?  
 18 A. Yes, she is.  
 19 Q. Have you communicated with Ms. Immamovic  
 20 about your lawsuit?  
 21 A. She knows of it.  
 22 Q. Have you had any substantive discussions  
 23 with her about it?  
 24 A. I know that she knows why I was fired and,  
 25 you know, we've discussed things like that, but she

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1 A. No, I have not.  
 2 Q. Do you have any personal connection to  
 3 Casey Rittner?  
 4 A. No, I don't.  
 5 Q. Who is Josh Rosenberg?  
 6 A. He was a flight attendant at Southwest  
 7 also.  
 8 Q. Did Mr. Rosenberg play any role in your  
 9 termination as far as you know?  
 10 A. Not that I know of.  
 11 Q. Have you communicated with Mr. Rosenberg  
 12 about your lawsuit?  
 13 A. No.  
 14 Q. Have you communicated with Mr. Rosenberg  
 15 about Audrey Stone?  
 16 A. No.  
 17 Q. Who is Chris Click?  
 18 A. He is a flight attendant, a friend of mine,  
 19 and then he also was I believe the vice president of  
 20 our union before they remove -- were removed.  
 21 Q. Are you aware that in your interrogatories  
 22 you indicate that Mr. Click provided you with a  
 23 statement in this case?  
 24 A. Yes.  
 25 Q. What was the form of that statement?

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1 doesn't know the inner -- in -- what's going on on the  
 2 interim through me.  
 3 Q. Have you communicated with her at all about  
 4 Audrey Stone?  
 5 A. In the past, yeah.  
 6 Q. When is the last time you communicated with  
 7 Ms. Immamovic about Audrey Stone?  
 8 A. When -- when I first got fired.  
 9 Q. So spring 2017 time frame?  
 10 A. Yes.  
 11 Q. Have you communicated with Jeanna Jackson  
 12 about your lawsuit?  
 13 A. She knows of it, yes.  
 14 Q. When is the last time you had a  
 15 communication with Ms. Jackson that concerned your  
 16 lawsuit?  
 17 A. It's been a while. It's probably been  
 18 eight, nine months ago.  
 19 Q. So probably before COVID, I mean, maybe  
 20 that's a good benchmark.  
 21 A. Yeah, I would say so. We -- I mean, we  
 22 talk a lot, but -- and she knows I'm still within  
 23 the -- in the lawsuit, but we don't discuss at all.  
 24 Q. Have you discussed Audrey Stone with  
 25 Ms. Jackson since your termination?

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1 A. I don't remember it, I don't recall what  
 2 all it is. I'd have to go back and look.  
 3 Q. Is it a written document? Is it -- was it  
 4 a telephone conversation?  
 5 A. You know what? I don't remember.  
 6 Q. When did you get this information from  
 7 Mr. Click?  
 8 A. That I don't remember either.  
 9 Q. Can you tell me what year?  
 10 A. I know he played a part in my -- or was  
 11 going to play a part. I can't remember if he was  
 12 actually at my arbitration or not.  
 13 Q. Do you remember any of the information that  
 14 Mr. Click has provided to you?  
 15 A. Not off the top of my head right now, no.  
 16 Q. Does it concern any of the circumstances of  
 17 your termination?  
 18 A. He knew about my termination, yes.  
 19 Q. But as you sit here today, you can't tell  
 20 me anything about the statement that was provided to  
 21 you by Chris Click?  
 22 A. I don't know what all he said, no, I'm  
 23 sorry, I don't.  
 24 Q. Has he provided you any additional  
 25 statements since the one that you are referencing now?

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1 A. No.

2 Q. Chris Sullivan was your representative at  
3 your fact-finding meeting, correct?

4 A. That's correct.

5 Q. Are you aware in your interrogatories you  
6 state that Mr. Sullivan has provided you with a  
7 statement?

8 A. I believe so, yes.

9 Q. Do you know what the form of that statement  
10 is?

11 A. No, I do not. I'd have to go back and read  
12 it.

13 Q. Is it a document?

14 A. No. If it's in my interrogatories, I mean,  
15 that's what you are referencing it to, correct?

16 Q. Well, I mean I can show you the  
17 interrogatories, Ms. Carter, but there's an  
18 interrogatory that asks you to list people who have  
19 provided you with a statement and there's a list of  
20 names of people that provided statements.

21 A. I don't have those statements with me. I  
22 don't have those statements. I would have given  
23 everything over to my attorney.

24 Q. I fully understand that. But I'm still  
25 asking you questions about did he send you an email,

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1 did he send you a Word document, did he send you a  
2 handwritten letter. Like what was given to you that is  
3 identified in your interrogatories as a statement?

4 A. He -- he didn't send me an email. He  
5 didn't -- I don't -- whatever it was that I turned over  
6 to my attorneys. I don't recall what he gave me.

7 Q. Okay. But, I mean, you don't even recall  
8 if it was something you wrote or he wrote?

9 A. It would have been something that he would  
10 have written I would imagine if it came from him.

11 Q. Okay. Let's go to the interrogatories.

12 A. Okay.

13 Q. Hold on. Just to make this easier. One  
14 second. I'm introducing what will be marked as Exhibit  
15 Number 11. Let me know when you have that in front of  
16 you and then I will direct you to the correct  
17 interrogatory.

(Deposition Ex. 11 marked)

19 A. Okay. I'm on that.

20 BY MR. CORRELL:

21 Q. Okay. And if you scroll down to page 8 of  
22 that document.

23 A. Okay. Okay.

24 Q. You will see interrogatory number 5,  
25 "Identify all persons from whom you have received

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1 statements (oral or written) relating to the  
2 allegations set forth in the complaint."

3 Do you see that?

4 A. "Identify persons from whom you have  
5 received" -- okay. Yes.

6 Q. Do you see down below the paragraph of  
7 objections there are several names with bullets next to  
8 them. Do you see that?

9 A. Yes.

10 Q. So with Mr. Click you've testified you  
11 don't know whether you received an oral or written  
12 statement. Is that correct?

13 A. I don't remember what -- what I've  
14 received. When they -- both Chris, Chris Sullivan,  
15 Kent Hand, and Greg Hofer, those were I believe stuff  
16 that I had gotten before my arbitration.

17 Q. Okay. And look, at the end of the day on  
18 things that you don't remember that's a perfectly  
19 acceptable answer, I just need to know what you do  
20 remember and that's why I'm asking you --

21 A. And honestly I don't remember what they  
22 gave me or if it was a document that -- whatever I got  
23 I have -- I have turned over to my attorney.

24 Q. Okay. So with respect to Mr. Sullivan,  
25 Mr. Hand, and Mr. Hofer, as you sit here today you

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1 don't remember the contents of any statement that they  
2 have given you?

3 A. I honestly don't. No, I don't.

4 Q. With Ms. Immamovic, what form of statement  
5 did she give to you, was it written or verbal?

6 A. I don't -- I don't remember. Again, this  
7 has been such a long time ago.

8 Q. That is perfectly fine, I just have to go  
9 through all the questions.

10 A. That's okay.

11 Q. Do you remember anything about the contents  
12 of the statement from Ms. Immamovic?

13 A. No, I do not.

14 Q. And with Jeanna Jackson, do you remember  
15 whether she provided you an oral or written statement?

16 A. No, I do not. These -- like I said, this  
17 was all during my arbitration.

18 Q. Have you reviewed any of these statements  
19 since your arbitration?

20 A. No, I have not.

21 Q. Okay. Going next down to interrogatory  
22 number 6, you will see a similar list of individuals in  
23 response to the question, "Identify all persons with  
24 whom you had any communication about the allegations in  
25 the complaint."



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1 Did I read that correctly?

2 A. Yes.

3 Q. What communications have you had with T  
4 Barrenn, spelled B-A-R-R-E-N-N, regarding your  
5 complaint?

6 A. He just knows of it.

7 Q. Have you had any discussions other than  
8 just making him generally aware of the lawsuit?

9 A. No. We're -- but we're friends.

10 Q. With Mr. Click, when is the last time you  
11 spoke to him regarding the allegations in your  
12 complaint?

13 A. Oh, it's probably been over a year ago  
14 maybe, if not longer.

15 Q. What do you recall about your  
16 communications directly with Mr. Click about the  
17 allegations in your complaint?

18 A. Just the fact that it's ongoing. I didn't  
19 go into specifics.

20 Q. Who is Victor Conejo?

21 A. He's a friend of mine.

22 Q. Does he work for Southwest Airlines?

23 A. Yes, he's another flight attendant.

24 Q. What -- when was the last time you  
25 communicated with Mr. Conejo about your lawsuit?

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1 allegations that you have asserted and the process of  
2 your lawsuit to the present. Do you understand that?

3 A. Yes.

4 Q. So if I say -- and let me just be clear for  
5 the record. So if I say have you spoken to them about  
6 your lawsuit, I mean all of that, will you understand  
7 that if I ask the question that way? And if not, I can  
8 alter it. I just want to do it in a way that's  
9 efficient so we don't spend five hours on this.

10 A. Okay. But let me -- let me clarify that.  
11 Every one of these people know about my lawsuit. They  
12 can pull it up and read it. It was also in the media  
13 when it first got filed. So when you ask these  
14 questions, I want to give you're an -- I want to give  
15 you a full answer on these.

16 I don't go around sitting and talking to  
17 these people about my lawsuit on a daily basis or on a  
18 yearly basis or on a monthly basis. They ask me  
19 where's the case going at this point, has it gone to  
20 court, has -- you know, I mean, they'd ask me questions  
21 like that and those are the things that I've answered.  
22 I don't --

23 Q. Let me ask this a different way then and  
24 I'll make this a little bit easier. Starting in  
25 November 2020, this month --

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1 A. It -- it's the same. Normally Victor, he  
2 just checks on me. He's a very good friend of mine.

3 Q. Have you communicated with Mr. Conejo about  
4 Audrey Stone?

5 A. No.

6 Q. With Ms. Coughlin, Mary Coughlin,  
7 C-O-U-G-H-L-I-N, what communications did you have with  
8 her about the allegations in your complaint?

9 A. Just that she knows about it and has read  
10 it.

11 Q. When did you last communicate with  
12 Ms. Coughlin about your complaint?

13 A. About the complaint, it's been when it was  
14 first introduced and --

15 Q. Let me ask that question different. About  
16 your lawsuit.

17 A. I haven't talked to her about my lawsuit.

18 Q. When is the -- well, and let me -- let me  
19 back up there. So I -- let's try to agree on a term  
20 here so that you understand my question and I  
21 understand your answer.

22 A. Okay.

23 Q. What I'm trying to figure out is who have  
24 you spoken to and when have you spoken to them about  
25 the circumstances of your lawsuit. That includes the

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1 A. Okay.

2 Q. -- who have you communicated with at  
3 Southwest Airlines this month about your lawsuit in any  
4 way?

5 A. The only person would be Dawn Wann and  
6 Jeanna Jackson.

7 Q. Have you also communicated with them about  
8 Audrey Stone in November 2020?

9 A. No. No.

10 Q. What -- what have your communications with  
11 Ms. Wann and Ms. Jackson been about in November 2020?

12 A. Just what -- what's happening in the  
13 lawsuit. I mean, they -- they just wanted to know is,  
14 you know, is -- are we getting ready to do depositions,  
15 are we getting ready to do the things that, you know,  
16 move this case forward.

17 Q. Okay.

18 A. And how am I doing, you know, am I doing  
19 okay. They're very good friends of mine and, you know,  
20 I've known them for years.

21 Q. What about October of 2020?

22 A. Dawn and I, we talk almost -- at least  
23 twice a week. We're very good friends.

24 Q. So is it fair to say that you've spoken to  
25 Ms. Wann every month this year about your lawsuit?

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<p>1 A. No, we don't always talk about my lawsuit, 2 no. No. As a matter of fact, we try to stay off that 3 topic. 4 Q. So, and again, what I'm trying to do is 5 figure out who you have communicated with because that 6 helps inform who I am going to go communicate with. 7 A. Right. 8 Q. So -- so in October -- in November it was 9 just Ms. Wann and Ms. Jackson and only on lawsuit, not 10 on this stuff. 11 In October, who did you communicate with 12 about your lawsuit, if anyone, who works for Southwest 13 Airlines? 14 A. It would have only been Dawn. 15 Q. Okay. Did those communications also 16 concern Audrey Stone? 17 A. No. 18 Q. Okay. September of 2020, anyone other -- 19 did you -- who did you communicate with about your 20 lawsuit in September of 2020? 21 A. Nobody. 22 Q. Did you communicate with anyone about 23 Ms. Stone? 24 A. No. 25 Q. Okay. How about August of 2020?</p>	<p>1 MR. GILLIAM: Counsel, if I may, the one 2 little I guess stipulation I would make is to the 3 extent that any of these communications involved the 4 subject matter of the motions for sanctions, I would 5 instruct my client not to answer that. 6 MR. CORRELL: Then we're going to need to 7 suspend the deposition because if she had 8 communications that also included those, I'm entitled 9 to know about those other communications and I'll have 10 to get the court on the line. 11 MR. GILLIAM: Okay. I -- I believe that 12 would be collateral to this matter and there is no 13 discoverable evidence that would really result from 14 that line of questioning. I mean, I -- I can 15 understand asking about communications about Audrey 16 Stone or about certain allegations in the complaint, 17 but regarding the -- you know, the specific matters 18 that were raised in the motions for sanctions, I would 19 say those I will have to instruct her not to answer. 20 MR. CORRELL: So let me be clear before I 21 call Judge Rutherford. 22 MR. GILLIAM: Okay. 23 MR. CORRELL: I'm going to ask her to tell 24 me the name of every Southwest employee with whom she 25 has communicated about her lawsuit or Audrey Stone. I</p>
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<p>1 am going to ask when those communications occurred, and 2 to the extent those communications contain anything 3 other than discussion of Audrey Stone's flight 4 schedule, I'm going to have ask -- to be that 5 conversation. 6 MR. GILLIAM: I'm sorry, I missed the last 7 part of what you said. 8 MR. CORRELL: Sure. The only thing I 9 believe -- any protection over are specific 10 communications regarding Audrey Stone's flight 11 schedule. You cannot protect the name of the people 12 and the other contact communications that they had 13 because they are potential witnesses in this lawsuit 14 with whom Ms. Carter has communicated about the case. 15 MR. GILLIAM: No, I think I agree with 16 that, counsel. 17 MR. CORRELL: Okay. 18 MR. GILLIAM: If you want to know about 19 allegations in the complaint or about Audrey Stone, 20 that -- that's fine. It's just specifically -- 21 MR. CORRELL: And I want to be -- I want to 22 be super clear here. If Ms. Carter got on the phone or 23 in person or via email communicated with a Southwest 24 employee and the subject matter of the conversation was 25 in any way related to the allegations of the complaint</p>	<p>1 or Audrey Stone, I'm entitled to know that that 2 communication took place. It goes to bias, it goes to 3 witness influence, and it goes to discovery of 4 potential people with knowledge of facts that I need to 5 go talk to. 6 Now, if you want to assert a protection 7 over the specific discussion between Ms. Carter and 8 some person about Audrey Stone's flight schedule, you 9 are welcome to do that. But if I am going to be 10 constrained in any other way, I am going to need the 11 judge to make a ruling because I believe I am entitled 12 to that information because it speaks to a number of 13 issues relevant to witnesses. 14 MR. GILLIAM: Okay. I mean I guess would 15 the better way be to proceed to see what you -- I guess 16 what your questions are, your specific questions might 17 be regarding -- 18 MR. CORRELL: That's -- that's fine as long 19 as there's not a pending instruction not to answer and 20 you're welcome to jump in whenever you feel necessary 21 if we need to stop to figure that out because I don't 22 want to run you into that situation. 23 MR. GILLIAM: Yeah, yeah, no, I agree 24 there's a lot of information that you're entitled to. 25 That's -- that's just my one specific concern, but --</p>

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1 MR. CORRELL: Fair. And I'm not -- I'm not  
 2 going to go in and say what information about Audrey  
 3 Stone's schedule or was this information about Audrey  
 4 Stone's schedule, those are not questions I'm planning  
 5 to ask, but I do need to know the nature of who she was  
 6 communicating with.  
 7 MR. GILLIAM: Absolutely. That I agree you  
 8 are entitled to.  
 9 MR. CORRELL: Okay.  
 10 BY MR. CORRELL:  
 11 Q. And so, Ms. Carter, just again for  
 12 reference to kind of reorient you, I'm going to want to  
 13 walk through months going back to 2019 to know who you  
 14 have been interacting with because I'm trying to  
 15 identify witnesses and the nature of the communications  
 16 they have received. Does that make sense?  
 17 A. Yes.  
 18 Q. Okay. And it doesn't have to be long,  
 19 we'll just kind of go through as quickly as we can. So  
 20 I believe for September you said there was no one. For  
 21 August of 2020, anyone who is employed by Southwest  
 22 Airlines who you communicated with about your lawsuit?  
 23 A. Not that I recall.  
 24 Q. Anyone you communicated with about Audrey  
 25 Stone?

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1 A. I don't know if it was a Southwest Airlines  
 2 person or not.  
 3 MR. GILLIAM: Again, Ms. Carter, I would  
 4 instruct you not to answer the question to the extent  
 5 that it reveals any of that subject matter, but you can  
 6 answer Mr. Correll's question as far as whether you had  
 7 communications about Audrey Stone.  
 8 A. Okay. Communications about Audrey Stone  
 9 no, no communications about Audrey Stone.  
 10 MR. CORRELL: One moment, please.  
 11 BY MR. CORRELL:  
 12 Q. In a sworn declaration to the court you  
 13 stated, "On or about June 25th, 2020, a Southwest  
 14 flight attendant called me. During the conversation I  
 15 asked the flight attendant where Stone was based.  
 16 Based on my 20 years of employment with Southwest I  
 17 know that this information is commonly known among  
 18 flight attendants."  
 19 Do you now change your testimony that you  
 20 had no communications about Audrey Stone in June of  
 21 2020?  
 22 A. Okay. I didn't know that it was in June.  
 23 But yes, I did ask where she was based.  
 24 MR. GILLIAM: Ms. Carter, again I would  
 25 instruct you that that is the subject matter that was

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1 A. No.  
 2 Q. July of 2020, anyone who works for  
 3 Southwest Airlines that you communicated with about  
 4 your lawsuit?  
 5 A. In July? Not that I recall.  
 6 Q. Anybody you have communicated with about  
 7 Audrey Stone?  
 8 A. I don't communicate with anybody about  
 9 Audrey Stone.  
 10 Q. Did you receive communications from anyone  
 11 about Audrey Stone?  
 12 A. No.  
 13 Q. Okay. June of 2020, did you communicate  
 14 with anyone at Southwest Airlines about your lawsuit?  
 15 A. Not that I recall.  
 16 Q. Did you communicate with anyone at  
 17 Southwest Airlines about Audrey Stone?  
 18 A. Again, I don't usually communicate anything  
 19 about Audrey Stone.  
 20 Q. And that's not my question, Ms. Carter.  
 21 A. No.  
 22 Q. So you are aware you submitted a  
 23 declaration to the court previously stating that you  
 24 had communications with people at Southwest Airlines  
 25 about your lawsuit in June of 2020.

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1 part of the motions for sanctions. Again, you can  
 2 discuss generally who you had communications about --  
 3 BY MR. CORRELL:  
 4 Q. Who was the person you were communicating  
 5 with?  
 6 A. I'm sorry?  
 7 Q. Who were you communicating with?  
 8 MR. GILLIAM: Objection, vague.  
 9 BY MR. CORRELL:  
 10 Q. When you signed this declaration under oath  
 11 that was submitted to the court that said on or about  
 12 June 25th a Southwest flight attendant called me, who  
 13 is the unnamed Southwest flight attendant?  
 14 MR. GILLIAM: Objection. That's -- that's  
 15 precisely in the area --  
 16 MR. CORRELL: We're calling Judge  
 17 Rutherford. We're taking a break. This is not  
 18 protected. She had a communication. I get to know the  
 19 full context of that communication to go talk to that  
 20 person. Now you can cover up whatever she was doing at  
 21 the direction of counsel, but the fact that she spoke  
 22 to a person is not privileged or work product.  
 23 MR. GILLIAM: No, I mean, again you can ask  
 24 her who she talked to --  
 25 MR. CORRELL: I just did. I said who is

<p style="text-align: right;">Page 181</p> <p>1 the person who is --</p> <p>2 MR. GILLIAM: Identified in the</p> <p>3 declaration. That was part of the motions for</p> <p>4 sanctions.</p> <p>5 MR. CORRELL: I'm refreshing her</p> <p>6 recollection, because she told me she doesn't -- this</p> <p>7 may be easier just to call Judge Rutherford, because</p> <p>8 you're going to assert objections that don't exist</p> <p>9 here.</p> <p>10 MR. GILLIAM: Okay.</p> <p>11 MR. CORRELL: I mean, at the end of the</p> <p>12 day, I'm allowed to know who Ms. Carter's been talking</p> <p>13 to her case about.</p> <p>14 MR. GILLIAM: Correct. Okay.</p> <p>15 MR. CORRELL: So are you standing on the</p> <p>16 objection that I don't get to know who the unnamed</p> <p>17 flight attendant is?</p> <p>18 MR. GILLIAM: Not in that declaration, I</p> <p>19 mean, you can ask who she talked to with about Audrey</p> <p>20 Stone.</p> <p>21 BY MR. CORRELL:</p> <p>22 Q. So who did you speak to about Audrey Stone</p> <p>23 in June of 2020?</p> <p>24 A. On what context?</p> <p>25 MR. CORRELL: Counsel, she's making --</p>	<p style="text-align: right;">Page 182</p> <p>1 she's opening the door.</p> <p>2 MR. GILLIAM: Um --</p> <p>3 A. I'm not trying to open a door.</p> <p>4 BY MR. CORRELL:</p> <p>5 Q. First she told me she didn't speak to</p> <p>6 anybody in June 2020. Then when I confront her with</p> <p>7 the declaration, she admits it happened, but she can't</p> <p>8 tell what context it is unless I tell her and you're</p> <p>9 telling me not to tell her the context.</p> <p>10 MR. GILLIAM: Well, again, I mean, I think</p> <p>11 that you refreshed her recollection that she did speak</p> <p>12 to some people in June of 2020. I think, you know, the</p> <p>13 question should be, you know, did you speak to</p> <p>14 anybody -- I think you did ask, did she speak to anyone</p> <p>15 about Audrey Stone in June of 2020, and I don't think</p> <p>16 she's answered that.</p> <p>17 MR. CORRELL: Okay.</p> <p>18 BY MR. CORRELL:</p> <p>19 Q. Tell me about every flight attendant in</p> <p>20 June 2020 who you spoke to where the words "Audrey</p> <p>21 Stone" or "Audrey" or "Stone" came up in any way.</p> <p>22 A. The only person that I ever spoke with in</p> <p>23 regards to anything that had to do with her was -- it</p> <p>24 was -- it would have been probably Dawn because Dawn</p> <p>25 and I talk about, you know, flight stuff and all that</p>
<p style="text-align: right;">Page 183</p> <p>1 good kind of stuff all the time.</p> <p>2 But now all I wanted to, you know, speak</p> <p>3 with her about is does she know maybe where she's based</p> <p>4 now because she was in -- oh, what was it called --</p> <p>5 Vegas.</p> <p>6 Q. So is it your understanding that the</p> <p>7 unnamed flight attendant in the sworn statement</p> <p>8 submitted to the court is Dawn Wann?</p> <p>9 A. No.</p> <p>10 MR. GILLIAM: I -- I --</p> <p>11 A. I don't know --</p> <p>12 MR. CORRELL: It's a document I can impeach</p> <p>13 her with at trial, counsel. I'm allowed to know the</p> <p>14 name of the person.</p> <p>15 MR. GILLIAM: But that's collateral to</p> <p>16 these proceedings.</p> <p>17 MR. CORRELL: Not if she's lying about</p> <p>18 something. It's an impeachment device.</p> <p>19 MR. GILLIAM: I disagree.</p> <p>20 MR. CORRELL: I'm allowed to know who she</p> <p>21 is referencing because I need to go talk to -- I need</p> <p>22 to know who to go talk to, who she's been influencing</p> <p>23 who she's listed as a person she may call to trial. If</p> <p>24 she influenced Dawn Wann in June of 2020 I'm allowed to</p> <p>25 go talk to her.</p>	<p style="text-align: right;">Page 184</p> <p>1 MR. GILLIAM: Well, sure, and she said</p> <p>2 she's talked to Dawn Wann so you have that name. But I</p> <p>3 don't -- where I do draw the line where we would have</p> <p>4 to get magistrate -- Judge Rutherford on the phone is</p> <p>5 if you want to ask specific questions regarding who she</p> <p>6 talks to -- who that person was --</p> <p>7 MR. CORRELL: What's the basis -- what's</p> <p>8 the basis of your objection there?</p> <p>9 MR. GILLIAM: That it's not discoverable</p> <p>10 evidence, it's not calculated to lead to discovery and</p> <p>11 that it's collateral to these proceedings and that the</p> <p>12 court has already made your motion --</p> <p>13 MR. CORRELL: The rule -- the rules used to</p> <p>14 have the requirement that it lead to admissible</p> <p>15 evidence. It's now been changed to proportionality</p> <p>16 standard. I'm unaware of a collateral objection.</p> <p>17 So --</p> <p>18 MR. GILLIAM: Again, the judge has already</p> <p>19 ruled on it.</p> <p>20 MR. CORRELL: Okay. Let's go ahead --</p> <p>21 look, we're just going to call Judge Rutherford and see</p> <p>22 if we can get her on the phone.</p> <p>23 MR. GILLIAM: That's fine. Okay.</p> <p>24 MR. CORRELL: Take a break for five</p> <p>25 minutes. Counsel, if you'll stay close by I'll get her</p>

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<p>1 and see if I can patch her in.</p> <p>2 MR. GILLIAM: Okay.</p> <p>3 VIDEOGRAPHER: We are going off the record</p> <p>4 at 2:10 p.m.</p> <p>5 (Break from 2:10 p.m. until 2:15 p.m.)</p> <p>6 VIDEOGRAPHER: We are going back on the</p> <p>7 record at 2:15 p.m.</p> <p>8 BY MR. CORRELL:</p> <p>9 Q. Ms. Carter, while we wait on the judge</p> <p>10 we're going to skip the months of June and July and we</p> <p>11 will come back to those after we've heard from the</p> <p>12 court.</p> <p>13 So we will go next to May of 2020. Who</p> <p>14 employed by Southwest Airlines did you have</p> <p>15 communications with during May of 2020 about your</p> <p>16 lawsuit?</p> <p>17 A. Nobody. I mean, I don't talk to people all</p> <p>18 throughout every month about my lawsuit.</p> <p>19 Q. Okay. Has there been anyone between</p> <p>20 January 1, 2020, and May 31st, 2020, who is employed by</p> <p>21 Southwest Airlines who you have communicated with about</p> <p>22 your lawsuit in any way?</p> <p>23 A. No, not like that, no.</p> <p>24 Q. What do you mean by "not like that"?</p> <p>25 A. As in talking about my lawsuit.</p>	<p>1 Q. I'm not limiting it specifically to</p> <p>2 talking. I'm talk -- I'm including emails and text</p> <p>3 messages and any other form of communication.</p> <p>4 A. No. I've turned over everything.</p> <p>5 Q. Have you had any communications with anyone</p> <p>6 between January 1, 2020, and May 31st, 2020, about</p> <p>7 Audrey Stone?</p> <p>8 A. No.</p> <p>9 Q. Okay. Go back to 2019. We'll do this in</p> <p>10 quarters to try and speed it up. Between October 1st</p> <p>11 of 2019 and December 31st of 2019, did you communicate</p> <p>12 with anyone employed by Southwest Airlines about your</p> <p>13 lawsuit?</p> <p>14 A. I don't recall from there -- from that time</p> <p>15 period.</p> <p>16 Q. So you have no recollection at all of any</p> <p>17 of those -- of any communications in that time frame?</p> <p>18 A. Whatever I had and communicated I've</p> <p>19 already turned over to you guys so I don't remember all</p> <p>20 of these people.</p> <p>21 Q. As long as your testimony is you don't</p> <p>22 remember, we will keep on going.</p> <p>23 A. Okay.</p> <p>24 Q. Or if you have others that you do remember,</p> <p>25 let me know.</p>
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<p>1 Did you have any communications during that</p> <p>2 same time period with anyone employed with Southwest</p> <p>3 Airlines about Audrey Stone?</p> <p>4 A. No.</p> <p>5 Q. Between July 1st, 2019 and September 30th,</p> <p>6 2019, did you have any communications with anyone</p> <p>7 employed by Southwest Airlines about your lawsuit?</p> <p>8 A. From what time period?</p> <p>9 Q. The third quarter of 2019, so from the</p> <p>10 beginning of July until the end of September.</p> <p>11 A. I don't recall.</p> <p>12 Q. Okay. Do you recall communications with</p> <p>13 anyone concerning your lawsuit between the arbitration</p> <p>14 in 2017 and the present other than Dawn Wann and Jeanna</p> <p>15 Jackson?</p> <p>16 A. I don't recall.</p> <p>17 Q. Okay. Do you -- and again I'm excluding</p> <p>18 the -- we'll come back to June and July 2020. Since</p> <p>19 the arbitration have you communicated with anyone</p> <p>20 employed by Southwest Airlines about Audrey Stone other</p> <p>21 than we're setting aside June and July of 2020?</p> <p>22 A. I don't recall. I don't speak about Audrey</p> <p>23 Stone, though, I can tell you that.</p> <p>24 Q. We'll come back to that because you did</p> <p>25 submit a declaration saying on at least one occasion</p>	<p>1 you did, right?</p> <p>2 A. And that was to find out where she was</p> <p>3 based. That was all.</p> <p>4 Q. Is that the only occasion since 2018 that</p> <p>5 you have spoken to anyone employed by Southwest</p> <p>6 Airlines about?</p> <p>7 A. Audrey Stone? Yes. That I can recall,</p> <p>8 yes. I don't speak about Audrey Stone.</p> <p>9 Q. Now, Ms. Carter, I am going to direct you</p> <p>10 to what will be introduced as Exhibit 12 to your</p> <p>11 deposition.</p> <p>12 A. Okay.</p> <p>13 (Deposition Ex. 12 marked)</p> <p>14 MR. CORRELL: And one moment please, I want</p> <p>15 to make sure this isn't the court.</p> <p>16 Mr. Gilliam, we have Ms. Rutherford or</p> <p>17 Judge -- excuse me, Judge Rutherford on the line.</p> <p>18 We'll take a moment for counsel to speak to</p> <p>19 the court.</p> <p>20 Judge Rutherford, can you hear me?</p> <p>21 THE COURT: I can.</p> <p>22 MR. CORRELL: And Mr. Gilliam, do you mind</p> <p>23 testing real quick to make sure she can hear you?</p> <p>24 MR. GILLIAM: Yeah. Judge Rutherford, can</p> <p>25 you hear me as well?</p>



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<p>1 THE COURT: I can, thank you.</p> <p>2 MR. CORRELL: And can you hear Judge</p> <p>3 Rutherford?</p> <p>4 THE COURT: Yes, I can.</p> <p>5 MR. CORRELL: I apologize, Your Honor,</p> <p>6 we're kind of chewing gum and duct-taping it together</p> <p>7 between Zoom and cell phones to be able to communicate</p> <p>8 with everyone.</p> <p>9 The issue we are reaching out to you about,</p> <p>10 Your Honor, is we are in the middle of the deposition</p> <p>11 of Charlene Carter. Over the summer there was a series</p> <p>12 of motions filed regarding how plaintiff came to</p> <p>13 acquire certain information about a witness. In order</p> <p>14 to track that witness down, as part of my deposition</p> <p>15 today I'm attempting to examine the witness about all</p> <p>16 communications that she's had with third parties</p> <p>17 regarding her lawsuit, and plaintiff's counsel is</p> <p>18 objecting and instructing the witness not to provide me</p> <p>19 with that information.</p> <p>20 Defendant takes the position that we have a</p> <p>21 right to know every person with whom Ms. Carter has</p> <p>22 communicated both in order to fully investigate those</p> <p>23 people and to be able to subsequently present evidence</p> <p>24 of bias at trial if they are called as a witness, and</p> <p>25 so we are seeking an instruction on how we should</p>	<p>1 proceed on this matter.</p> <p>2 And Mr. Gilliam, if you care to respond.</p> <p>3 MR. GILLIAM: Yes, thank you.</p> <p>4 Judge Rutherford, I think we -- we agree</p> <p>5 that he's entitled to ask questions about who</p> <p>6 Ms. Carter communicated with. Our objection is that he</p> <p>7 is specifically -- is that Southwest's counsel is</p> <p>8 specifically asking Ms. Carter to identify who the</p> <p>9 persons were identified in the affidavit that she spoke</p> <p>10 with, and our position is that, one, the court has</p> <p>11 already ruled on it, that that -- that those</p> <p>12 communications are collateral to these proceedings and</p> <p>13 that they would not yield any sort of discoverable</p> <p>14 evidence.</p> <p>15 We also agree that defendant's counsel can</p> <p>16 ask who Ms. Carter communicated with about Audrey Stone</p> <p>17 outside of those issues that were the subject of the</p> <p>18 motion for sanctions, but on no other matters.</p> <p>19 MR. CORRELL: And Your Honor, if I may add,</p> <p>20 in asking Ms. Carter these questions, the response has</p> <p>21 repeatedly been, "About what," and so I'm in a position</p> <p>22 where in order to ask Ms. Carter these questions I have</p> <p>23 to provide her context of the nature of the</p> <p>24 conversations so I can ask her what else was discussed,</p> <p>25 if anything. And so I need to know the names of every</p>
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<p>1 person that she's been speaking to and, I mean, it --</p> <p>2 she's out there as a non-attorney engaging with</p> <p>3 potential fact witnesses and I feel like we should be</p> <p>4 entitled to full discovery of that activity.</p> <p>5 THE COURT: And this is in relation to the</p> <p>6 motion for sanctions that was decided by Judge Starr?</p> <p>7 MR. GILLIAM: Yes, Your Honor.</p> <p>8 MR. CORRELL: Correct.</p> <p>9 THE COURT: Is that what you reference,</p> <p>10 Mr. Gilliam?</p> <p>11 MR. GILLIAM: Yes, Your Honor.</p> <p>12 THE COURT: And Southwest's counsel just</p> <p>13 wants to know the names of the people that were -- that</p> <p>14 she -- she spoke to --</p> <p>15 MR. GILLIAM: Correct.</p> <p>16 THE COURT: -- with respect to Audrey?</p> <p>17 MR. CORRELL: Yes, Your Honor. What I am</p> <p>18 attempting to determine is who did Ms. Carter</p> <p>19 communicate with during the months of June and July of</p> <p>20 2020 about Audrey Stone in any way, and then to examine</p> <p>21 other than what information was provided about</p> <p>22 Ms. Stone's whereabouts, what else was discussed,</p> <p>23 because I think all of that is relevant to assessing</p> <p>24 those individuals as potential witnesses as well as</p> <p>25 potential biases they may have if they are called as</p>	<p>1 witnesses.</p> <p>2 MR. GILLIAM: And Your Honor, we agree that</p> <p>3 he can ask about the communications that pertain to</p> <p>4 Audrey Stone as long as we can exclude any</p> <p>5 communications about Audrey Stone's schedule and the</p> <p>6 subject matter in the motions for sanctions. We</p> <p>7 submitted in camera briefs at one point and the court</p> <p>8 denied their motion and decided against producing any</p> <p>9 of that information.</p> <p>10 MR. CORRELL: And the way this came to a</p> <p>11 head, Your Honor, is I am attempting to use Ms. Stone's</p> <p>12 publicly or Ms. Stone's declaration that was not filed</p> <p>13 in camera to say -- because when I first asked</p> <p>14 Ms. Carter who she had spoken to about Ms. Stone in</p> <p>15 June of 2020, she said nobody. I then read to her the</p> <p>16 language of her declaration which said on June 25th,</p> <p>17 2020, I spoke to a Southwest flight attendant or</p> <p>18 something to that effect, and then I was stopped from</p> <p>19 asking her to identify that person, and then when I</p> <p>20 tried to ask additional questions about the declaration</p> <p>21 in terms of who else was she communicating with so that</p> <p>22 I can find out what the other communications were,</p> <p>23 there was an instruction not to answer and so I don't</p> <p>24 know how I can not use her declaration submitted to the</p> <p>25 court under oath to refresh her recollection and just</p>

<p style="text-align: right;">Page 193</p> <p>1 be stuck with her saying, "I don't remember," when I</p> <p>2 have a clearly impeaching document on that point.</p> <p>3 MR. GILLIAM: And Your Honor, we have</p> <p>4 agreed that, yeah, it should refresh her recollection</p> <p>5 that she should -- that she had communications, but she</p> <p>6 shouldn't have to divulge who those specific -- the</p> <p>7 identities of the specific people she spoke about in</p> <p>8 that affidavit which was attached to her response to</p> <p>9 the motions for sanctions. And the people -- the court</p> <p>10 asked Ms. Carter to identify that information in camera</p> <p>11 and decided against releasing that information.</p> <p>12 THE COURT: Well, but I don't think the</p> <p>13 question to Judge Starr was whether that information</p> <p>14 should be released, was it?</p> <p>15 MR. GILLIAM: I think --</p> <p>16 THE COURT: Judge Starr did not have -- I</p> <p>17 mean, the reason it was submitted in camera was in</p> <p>18 connection with a different question and not whether</p> <p>19 the defendant was trying to discover who she was</p> <p>20 talking to about Ms. Stone's schedule. This was -- it</p> <p>21 was submitted to him in camera in connection with</p> <p>22 something else, not with respect to fact discovery.</p> <p>23 MR. GILLIAM: No, but our argument was that</p> <p>24 that information's collateral to these proceedings.</p> <p>25 And I think his order did -- did ask plaintiff to</p>	<p style="text-align: right;">Page 194</p> <p>1 address why that information should not be disclosed so</p> <p>2 I think it was part of his order or his -- his, I</p> <p>3 guess, order to address the issue.</p> <p>4 MR. CORRELL: I believe Judge Rutherford</p> <p>5 was asking if you're meaning the September 2nd order</p> <p>6 Mr. Gilliam.</p> <p>7 MR. GILLIAM: I think it was the</p> <p>8 September 2nd order.</p> <p>9 THE COURT: So I don't see that his order</p> <p>10 says anything, it just says that the motion for</p> <p>11 sanctions is denied and denied request for attorney's</p> <p>12 fees. It doesn't address -- even though the -- there</p> <p>13 was a question presented whether Carter, Gilliam, and</p> <p>14 anyone else associated with representing Carter should</p> <p>15 be required to disclose who provided the confidential</p> <p>16 information and disclose the documents, that was not --</p> <p>17 it was just that he entered the order and denied</p> <p>18 sanctions.</p> <p>19 MR. GILLIAM: Oh. Your Honor, I think it</p> <p>20 was actually earlier. Let's see. I think it was</p> <p>21 earlier in August. I'm looking through here. Let's</p> <p>22 see, this may be it, it may be document 113, Your</p> <p>23 Honor, document number 113, it was dated July 30th.</p> <p>24 THE COURT: Is that an electronic order?</p> <p>25 MR. GILLIAM: Yes, Your Honor. It orders</p>
<p style="text-align: right;">Page 195</p> <p>1 Carter and Gilliam to submit affidavits to the court</p> <p>2 for in camera inspection stating all facts surrounding</p> <p>3 how they obtained the information at issue and an</p> <p>4 accompanying brief explaining why any particular</p> <p>5 information is privileged or should not be disclosed to</p> <p>6 other parties on a different basis.</p> <p>7 THE COURT: I don't see any order where he</p> <p>8 said that -- where Judge Starr has ruled that the</p> <p>9 information that Southwest Airlines is seeking is not</p> <p>10 discoverable.</p> <p>11 MR. GILLIAM: Well, he doesn't specifically</p> <p>12 say it's not discoverable.</p> <p>13 I'm sorry Your Honor?</p> <p>14 THE COURT: It sounds like Southwest is</p> <p>15 asking Ms. Carter to identify a fact witness.</p> <p>16 MR. GILLIAM: Yes, and we agree that they</p> <p>17 can -- they can ask her to identify, you know, who had</p> <p>18 communications with Audrey Stone. We have no objection</p> <p>19 to that. What we object to is just having her</p> <p>20 specifically identify the identity of who gave her</p> <p>21 information about Ms. Stone's schedule.</p> <p>22 MR. CORRELL: And again, Your Honor, the</p> <p>23 way we ended up in this predicament is I started with</p> <p>24 that question, I was told "no one," and then when I</p> <p>25 attempted to use a sworn statement submitted to a</p>	<p style="text-align: right;">Page 196</p> <p>1 federal court, I was told I wasn't allowed to do that</p> <p>2 even though that statement directly contradicted the</p> <p>3 testimony of "no one."</p> <p>4 MR. GILLIAM: And I think it's fair that it</p> <p>5 could be used to refresh her memory as to having</p> <p>6 communications, but I don't think that she has to</p> <p>7 disclose who she had those communications with on that</p> <p>8 particular subject. If it doesn't refresh her memory</p> <p>9 as to who she had communications with in general about</p> <p>10 Audrey Stone, then we -- we don't think that it -- that</p> <p>11 she should have to divulge who she specifically talked</p> <p>12 to about Stone's schedule.</p> <p>13 THE COURT: I'm sorry, Mr. Gilliam, I don't</p> <p>14 understand. Are you going to allow your client to</p> <p>15 answer the first question that was posed to her that</p> <p>16 sort of opened up this Pandora's box?</p> <p>17 MR. GILLIAM: Yes, I would allow her to</p> <p>18 answer who did she have communications with about</p> <p>19 Audrey Stone. If the question is who did you discuss</p> <p>20 Audrey Stone's schedule with, I would object. And if</p> <p>21 the question is who is the individual who's</p> <p>22 identified -- who you spoke with that's identified in</p> <p>23 your affidavit or alluded to in your affidavit, I would</p> <p>24 object to that as well. But I have no objection to</p> <p>25 Mr. Correll asking who did she discuss Audrey Stone</p>

<p style="text-align: right;">Page 197</p> <p>1 with.</p> <p>2 THE COURT: Mr. Correll, do you want to ask</p> <p>3 the follow-up questions that Mr. Gilliam thinks you are</p> <p>4 going to ask?</p> <p>5 MR. CORRELL: No, no, Your Honor. Like I</p> <p>6 said, the problem I ran into was --</p> <p>7 THE COURT: Okay.</p> <p>8 MR. CORRELL: -- the first answer was "no</p> <p>9 one," and then when I presented the affidavit and said,</p> <p>10 okay, well, you told the court you did so who did you</p> <p>11 talk to, I was told I couldn't ask that question. And</p> <p>12 there's another paragraph, the next paragraph also</p> <p>13 references communicating with people about Audrey Stone</p> <p>14 and I -- I need to be able to ask who were you</p> <p>15 communicating with about Audrey Stone. I don't want to</p> <p>16 follow up and say well, is this the person who gave you</p> <p>17 X information. And I'll -- if he wants to instruct her</p> <p>18 not to answer about the scheduling aspect of it and she</p> <p>19 says, well, there was nothing else, well, I mean, I</p> <p>20 understand that it's admission by omission, but she</p> <p>21 communicated with potential fact witnesses and if</p> <p>22 that's all she talked to them about, I don't know how</p> <p>23 to work around this, but I need to know that.</p> <p>24 THE COURT: And, Mr. Gilliam, that's what</p> <p>25 you are going to instruct her not to answer?</p>	<p style="text-align: right;">Page 198</p> <p>1 MR. GILLIAM: Yeah, it's just that one</p> <p>2 specific issue who -- who are the people that she</p> <p>3 alludes to in her affidavit. That's -- that's what I</p> <p>4 do not want her to answer. I am okay with her</p> <p>5 answering who did you speak to Ms. Stone -- who did you</p> <p>6 speak to about Ms. Stone.</p> <p>7 MR. CORRELL: I just don't know what to do,</p> <p>8 Your Honor, when she says "no one" and I've got a sworn</p> <p>9 statement that says she did.</p> <p>10 THE COURT: Well, I think as this has been</p> <p>11 fleshed out a little bit, that Ms. Carter maybe want to</p> <p>12 reconsider her answer "no one" and she may have -- on</p> <p>13 hearing all of this or having the question explained to</p> <p>14 her by her attorney will understand that she can say</p> <p>15 someone and she can name the person that she talked to.</p> <p>16 She can answer the question that you initially posed.</p> <p>17 MR. CORRELL: Understood, Your Honor, and I</p> <p>18 will carefully circumscribe the question to make sure</p> <p>19 that I notify the witness that she is not to disclose</p> <p>20 the substance of communications regarding Audrey</p> <p>21 Stone's schedule specifically in response to any of my</p> <p>22 questions.</p> <p>23 THE COURT: Okay. I think -- I think</p> <p>24 that's where it is. I think the attorneys are getting</p> <p>25 a step or two ahead of themselves.</p>
<p style="text-align: right;">Page 199</p> <p>1 MR. GILLIAM: It could be.</p> <p>2 THE COURT: Go back to square one. It is</p> <p>3 Friday. It is the middle of a pandemic. I do</p> <p>4 appreciate the stress that everyone's under, but I feel</p> <p>5 like in talking to you that maybe we could just have a</p> <p>6 do over, a mulligan, and try again and see if we get</p> <p>7 further. I'm happy to stay on the line if you want to</p> <p>8 ask these questions and let me listen for a little bit.</p> <p>9 I also think that the attorneys have</p> <p>10 reached a bit of an understanding. You may be able to</p> <p>11 continue without my assistance, but I'm happy to do</p> <p>12 whatever it takes to get this completed today.</p> <p>13 MR. CORRELL: In the interest of</p> <p>14 efficiency, Your Honor, if you could give me five</p> <p>15 minutes on the line I think we can get through this and</p> <p>16 cut you loose without having to bother you a second</p> <p>17 time.</p> <p>18 THE COURT: Sure. Sure.</p> <p>19 MR. CORRELL: Is that okay with you,</p> <p>20 Mr. Gilliam?</p> <p>21 MR. GILLIAM: Yes, that is, that is. I</p> <p>22 appreciate that too, Your Honor.</p> <p>23 THE COURT: Of course.</p> <p>24 MR. CORRELL: And Mr. Hendrick, are we</p> <p>25 still on the record?</p>	<p style="text-align: right;">Page 200</p> <p>1 THE REPORTER: Yes.</p> <p>2 BY MR. CORRELL:</p> <p>3 Q. And Ms. Carter, you've had the benefit of</p> <p>4 listening to all of our communications here. So the</p> <p>5 question to you is who did you communicate with in June</p> <p>6 2020 about Audrey Stone?</p> <p>7 A. I -- it would be Dawn Wann.</p> <p>8 Q. Anyone else that you communicated with in</p> <p>9 June 2020 about Audrey Stone?</p> <p>10 A. It may have been a friend of mine, Alyssa,</p> <p>11 in passing, Alyssa.</p> <p>12 Q. Do you know what her last name is?</p> <p>13 A. I believe her new last name is Rosetti.</p> <p>14 Q. In your communications with Ms. Wann about</p> <p>15 Audrey Stone in June of 2020, did you communicate about</p> <p>16 anything having to do with the allegations in your</p> <p>17 lawsuit -- or excuse me -- about Ms. Stone's role in</p> <p>18 your lawsuit other than anything having to do with her</p> <p>19 schedule?</p> <p>20 A. Repeat that? I'm sorry.</p> <p>21 Q. It was a bad question.</p> <p>22 Other than communicating with Ms. Wann</p> <p>23 about Ms. Stone's schedule, which I do not know you did</p> <p>24 or did not do, did you have any communications -- what</p> <p>25 were -- what were your communications with Ms. Wann</p>

<p style="text-align: right;">Page 201</p> <p>1 about concerning Ms. Stone?</p> <p>2 A. I just talked about her base, where she</p> <p>3 might be based at.</p> <p>4 Q. Okay. In communicating with Ms. Rosetti in</p> <p>5 June of 2020 about Ms. Stone, other than communications</p> <p>6 regarding Ms. Stone's whereabouts, what was the nature</p> <p>7 of your communications with Ms. Rosetti?</p> <p>8 A. It was the same, it was about if she knew</p> <p>9 where maybe she was based at.</p> <p>10 Q. In July of 2020, did you communicate with</p> <p>11 anyone about Audrey Stone?</p> <p>12 A. No, I didn't communicate with anybody about</p> <p>13 Audrey Stone.</p> <p>14 Q. When you say you don't know -- when you use</p> <p>15 the word "communicate," what are you meaning there?</p> <p>16 A. I didn't talk to anybody or, you know,</p> <p>17 communicate about Audrey Stone.</p> <p>18 That -- are you talking about me now asking</p> <p>19 again where she might be based?</p> <p>20 Q. No, ma'am. So again, referencing your</p> <p>21 declaration previously provided to the court, you told</p> <p>22 the court you received "unsolicited information" from</p> <p>23 two other people?</p> <p>24 A. Yes, I did.</p> <p>25 Q. Did you have any communications with them</p>	<p style="text-align: right;">Page 202</p> <p>1 other than passively receiving unsolicited information?</p> <p>2 A. Correct. I did receive some information</p> <p>3 but it was from an anonymous source.</p> <p>4 Q. Did you have any communications back with</p> <p>5 those individuals or did you just receive that</p> <p>6 information and there was no further communication</p> <p>7 about this?</p> <p>8 A. Absolutely, there was no more</p> <p>9 communication.</p> <p>10 Q. Okay.</p> <p>11 MR. CORRELL: Judge Rutherford, I think</p> <p>12 that exhausts this line of questioning and that was all</p> <p>13 of the help we needed.</p> <p>14 THE COURT: All right. Well, thank you</p> <p>15 very much. I'm glad you called me and have a good</p> <p>16 weekend.</p> <p>17 MR. CORRELL: You too. Thank you, Judge.</p> <p>18 MR. GILLIAM: Thank you.</p> <p>19 THE COURT: All right. Good-bye.</p> <p>20 BY MR. CORRELL:</p> <p>21 Q. So when the judge called, Ms. Carter, I</p> <p>22 believe I had just introduced a new exhibit to you and</p> <p>23 that would be Exhibit 12, I believe. Do you have that</p> <p>24 document in front of you?</p> <p>25 A. I do.</p>
<p style="text-align: right;">Page 203</p> <p>1 Q. Do you recognize that document?</p> <p>2 A. I do.</p> <p>3 Q. What is that document?</p> <p>4 A. That is a document to Jim Little who was</p> <p>5 the international president of TWU at the time.</p> <p>6 Q. Why did you send this email?</p> <p>7 A. Well, let me re-read all of it.</p> <p>8 Q. Please take your time.</p> <p>9 A. Okay. This had to do with the coup that</p> <p>10 went on to remove Stacy Martin, Chris Click, Jerry</p> <p>11 Lindermann, and Dawn Wann, and also Jana Deloache and</p> <p>12 the rest of the board.</p> <p>13 Q. How many messages like this one did you</p> <p>14 send to Mr. Little?</p> <p>15 A. I sent -- not like this but I sent some</p> <p>16 messages to Jim Little about how he -- let's put it</p> <p>17 this way: I've known Jim Little for a long time. He</p> <p>18 used to be our liaison. He was part of a trial that I</p> <p>19 actually was a part of along with another board member</p> <p>20 that was illegally removed, and this had happened again</p> <p>21 with our duly elected president, vice president and so</p> <p>22 on.</p> <p>23 Q. Did you get a response?</p> <p>24 A. Don't believe I got a response from him.</p> <p>25 Q. Do you -- were you expecting a response</p>	<p style="text-align: right;">Page 204</p> <p>1 from him?</p> <p>2 A. Actually I would have hoped that he would</p> <p>3 have responded because it was another -- taking out our</p> <p>4 board members by international, and we had elected our</p> <p>5 board members and there was no reason for</p> <p>6 international -- we're supposed to have autonomy within</p> <p>7 our local membership, and they came in and did the</p> <p>8 exact opposite and took out our board members.</p> <p>9 (Deposition Ex. 13 marked)</p> <p>10 BY MR. CORRELL:</p> <p>11 Q. Next I am going to show you what will be</p> <p>12 marked as Exhibit 13 to your deposition.</p> <p>13 A. Okay.</p> <p>14 Q. When you see that document, let me know.</p> <p>15 A. Okay. Okay.</p> <p>16 Q. Do you recognize that document?</p> <p>17 A. I sure do.</p> <p>18 Q. What is that document?</p> <p>19 A. That is a document soliciting my vote for</p> <p>20 Thom McDaniel for a delegate position.</p> <p>21 Q. Why did you send this email?</p> <p>22 A. Because I wanted him to know that I was not</p> <p>23 going to be voting for him and he -- he knows the</p> <p>24 reason why.</p> <p>25 Q. What's the reason why?</p>

<p style="text-align: right;">Page 205</p> <p>1 A. I testified against him during Melissa 2 Smith's trial when they removed her illegally and she 3 won her trial. Ever since then, Thom McDaniel has 4 basically threatened my job from there. 5 Q. How did Thom McDaniel threaten your job? 6 A. When I was -- this has been almost, what, 7 20 years ago, he removed a duly elected president 8 illegally, and I testified for her in that, and through 9 that entire time he has threatened my job. 10 Q. How? What did he do? 11 A. What did he do? He -- 12 Q. What did he do to threaten your personal 13 job? 14 A. He told me that I need to basically watch 15 my back as time went on, that he -- 16 Q. When did he tell you that? 17 A. I'm sorry? 18 Q. When did he tell you to watch your back? 19 A. It was during the trial of Melissa Smith. 20 Q. Who was present besides you and 21 Mr. McDaniel? 22 A. Nobody at that time because we were all 23 sitting out at the witness area. 24 Q. And did you report Mr. McDaniel's comments 25 to anybody?</p>	<p style="text-align: right;">Page 206</p> <p>1 A. The only person that I reported that to 2 would have been Melissa Smith who was at that time 3 supposed to be our president, but he then went back and 4 they had a meeting and filed charges under Article 21 5 and removed her completely from being our union 6 president. 7 Q. You said twenty years ago, this would have 8 been around the year 2000? 9 A. Yes. 2000-2001. I -- oh. And then the 10 last trial for her, it took about three years and she 11 won her trial. They removed her illegally. 12 Q. So between 2000 and 2003, when did 13 Mr. McDaniel allegedly say, "Watch your back"? 14 A. It was during the first portion of her -- 15 I'm not sure if it was the arbitration -- not 16 arbitration -- mediation or if it was the actual trial. 17 I can't remember. It was all -- I just don't remember 18 exactly when that was. 19 Q. And in the more than 10 years between that 20 date and when you sent this email in 2013, other than 21 saying "watch your back" on one occasion, what else did 22 Mr. McDaniel do to threaten your job, if anything? 23 A. I knew that he had spoken ill about me 24 through the union, in the union office, and during his 25 administration for about two and a half years I -- I</p>
<p style="text-align: right;">Page 207</p> <p>1 was paying dues and they were coming out of my checking 2 account and I had proof of this, but every time I'd 3 call -- somehow or another during his administration I 4 kept getting emails from the union saying that if I 5 didn't come up with all of my dues, that I was gonna -- 6 I could get fired because if you don't pay your dues 7 they can get you fired. I had been paying my dues, 8 come -- come to find out after having a meeting with 9 John Parrott and also Michael Massoni, after this had 10 been going on for almost two years, found out I had 11 overpaid my dues. And I don't know who all was behind 12 that, but it was very odd that my dues were not being 13 put in my specific -- showing that I had paid, when my 14 check had my name on it, my employee number, and, you 15 know, where I was based on it, and they were cashing my 16 checks because I had a whole reference sheet regarding 17 that from my bank, and even John Parrott couldn't 18 figure out why my dues were not showing up within my -- 19 you know, under my name and so forth. So I don't know 20 who was doing that, but it was very odd and it was 21 under his administration, Thom McDaniel's. 22 Q. And -- 23 A. And I was also being trashed in the context 24 and I've got witnesses to that in the union office. 25 Q. By whom?</p>	<p style="text-align: right;">Page 208</p> <p>1 A. Well, when Kent Hand was working in there, 2 basically Thom McDaniel's word for me because my last 3 name used to be Batts, that is my maiden name, he would 4 say that I was the bat-shit crazy woman out there 5 because I always was -- you know, when I'd go to union 6 meetings I would confront him on the things that the 7 union was or was not doing for its own membership or 8 spending our money doing certain things. And his 9 leadership harmed many. 10 Q. Were you still a union member at the time 11 you sent this email? 12 A. In 2013? I -- I can't see the date on 13 there. I think I resigned my -- does that say eight or 14 five? Because I can't see it. 15 Q. I'm sorry. It says August 3rd, 2013. 16 A. Okay. That is before I resigned. I 17 believe it was in September of 2013 that I -- September 18 or October of 2013. He was running for a delegate 19 position and so was I. 20 Q. So why send him this email as opposed to 21 just not voting for him? What were you hoping to 22 accomplish? 23 A. I had asked him prior not to ever send me 24 anything. 25 Q. I'd like you to scroll down to the very</p>



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<p>1 bottom of this document. Do you see where it says, "If 2 you wish to Unsubscribe from this candidate's emails, 3 please click on the following link: Unsubscribe"? 4 A. And I did that after I sent him my message. 5 Q. Why did you feel it necessary to send that 6 message if all you had to do was click the link and 7 unsubscribe? 8 A. Well, if you can go back and read some of 9 the things that he had said about me while I was 10 running for the delegate and then send me this email, I 11 wanted him to know that I knew basically about what he 12 was saying about me in a -- just as a no vote for him 13 and that we would be cancelling each other out. 14 He was trashing my name, along with Brian 15 Talbert, and Brian Talbert had said that, Charlene -- 16 and he got my last name wrong, but Carter-Bettis, which 17 is supposed to be Batts, should not have anything to do 18 with TWU International and she will never hold a 19 position. 20 Q. Next I'd like to show you what will be 21 marked as Exhibit 14 to your deposition. Let me know 22 when you can see that. 23 A. Okay. 24 (Deposition Ex. 14 marked) 25 A. Okay. I've never seen this one before.</p>	<p>1 I'm not sure -- yeah, that's from Brett Nevarez. 2 BY MR. CORRELL: 3 Q. So is this -- do you know if this is a 4 document that you collected and provided for production 5 or do you know if it came from somewhere else? 6 A. I -- you know what? I don't know where 7 this one came from to be quite honest with you. 8 Q. That's fine. That makes it a short exhibit 9 that we don't spend much more time on. I have a couple 10 more where I just need to know what the documents are 11 and that's what we're running through here. So... 12 A. Okay. 13 MR. GILLIAM: And counsel, did you get the 14 email that Jeff Jennings sent you? 15 MR. CORRELL: I did. What I'm planning to 16 do, if you don't mind, is I am going to finish this 17 last little piece and take a break to look at that and 18 wrap up, and then I should be done. 19 MR. GILLIAM: Sure. 20 (Deposition Ex. 15 marked) 21 BY MR. CORRELL: 22 Q. So next you should see Exhibit 15, 23 Ms. Carter. 24 A. Okay. 25 Q. Let me know when you can see that document.</p>
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<p>1 A. Yeah. I -- and I don't know who -- who 2 sent this document. 3 Q. Okay. 4 A. I mean I know it's Brian and that would be 5 Brian Talbert. 6 Q. Do you know who the typing is in the box 7 down here that is on the message that wasn't sent? 8 A. No, I don't. 9 Q. Okay. And you don't know where this came 10 from? 11 A. No, I do not. 12 Q. All right. Next we have Exhibit 16. 13 A. Okay. 14 (Deposition Ex. 16 marked) 15 BY MR. CORRELL: 16 Q. When you have that in front of you, let me 17 know. 18 A. Yes, this is from Mike Casper, this is not 19 one that I remember either. But he was a victim of 20 harassment. 21 Q. Who is Mike Casper? 22 A. He's a flight attendant at Southwest, or 23 was. 24 Q. Do you know, did he leave voluntarily or 25 was he terminated?</p>	<p>1 A. No, he -- he left voluntarily. He just 2 took the early out. 3 Q. Do you contend that any aspect of the posts 4 that we've talked about today were the product of 5 someone else posting on your Facebook? 6 A. This didn't come from my Facebook. 7 Q. No, no, I understand that. I just want to 8 make sure that you're not also claiming that someone 9 else used a fake profile of yours or anything of that 10 nature. 11 A. No, it had happened to me a couple of 12 times, but this one was very egregious. This one -- 13 yeah, this one -- this one was bad and they proved it 14 through the FBI that Jeanna and Mike were harmed 15 horribly. This was a fake conversation and -- and 16 still the company has not been able to let them know 17 exactly who did this. They got the -- they got the law 18 involved in this one. And yes, it has happened to me 19 and yes, it has happened to others. 20 Q. When did it happen to you? 21 A. Well, it was -- it was one I know of before 22 I got fired, but then there was another one after I got 23 fired and they either took the post from something else 24 prior to that and put it on another feed, because you 25 can capture these things and then paste them or they</p>

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1 took my words from something else and recreated it.

2 Q. To your knowledge --

3 A. This isn't -- this isn't -- this isn't the  
4 first time this has happened and this is -- this is the  
5 problem with social media because some of it is not  
6 true and these two people right here were harmed  
7 horribly by this.

8 Q. And my question to you, Ms. Carter, is do  
9 you contend that any of the social media that was  
10 presented to you during your fact-finding or your  
11 step 2 was not your social media?

12 A. No. My -- what -- and I'm fessing up to  
13 it, I -- yes, the stuff that was on my personal  
14 Facebook page, my pro life stuff, yes, that was on  
15 my -- my Facebook page.

16 (Deposition Exs. 17 and 18 marked)

17 BY MR. CORRELL:

18 Q. Ms. Carter, I -- I will skip Exhibit 17  
19 because that was accidental. Exhibit 18 will be the  
20 next one we look at.

21 A. Okay. Okay. I cannot see those. Let's  
22 see.

23 Q. And I think the best way to handle this,  
24 just because I can't give you paper copies that would  
25 be larger, is if you can control and zoom in a little

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1 bit you should be able to see -- I'm focused on the  
2 first page here.

3 A. Okay.

4 Q. Do you -- first of all, is this a text  
5 message from you? It says "me" at the top, I don't  
6 know who "me" is.

7 A. No, this is not a text message from me. I  
8 can't -- I can't hardly read these. I'm sorry.

9 Q. And without getting into the substance of  
10 it, do you recognize what program that information came  
11 from or what system it came from? I just have no idea  
12 what this is. It looks like it may be internal union  
13 grievance materials --

14 A. Okay.

15 Q. -- and I'm trying to figure out where this  
16 came from.

17 A. I -- that I don't know.

18 Q. Can you --

19 A. This was actually being -- this was  
20 actually being passed around and somebody sent this to  
21 me and it was anonymous.

22 Q. So you received this?

23 A. Yeah, I received a -- yeah, I received  
24 these two pieces of paper, but I don't know where they  
25 came from.

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1 Q. Well, when you say someone sent this to  
2 you, did they actually send the messages to you or did  
3 you just get the documents?

4 A. No, this was on -- okay. So on Facebook  
5 Messenger, anybody can send you, I mean, anything on  
6 Facebook Messenger, and it just happened to be one that  
7 I clicked on to because it's like an email, and so I  
8 clicked on to this and somebody, I don't know who sent  
9 this to me, but it was being passed around with the  
10 flight attendants.

11 Q. Do you know why it was being passed around?

12 A. The only reason I can think of is that --  
13 okay. In looking back at this one, I do believe Brett  
14 was speaking about my case and some other people's  
15 cases, which he wasn't supposed to be talking about,  
16 and somebody turned him in. I -- I don't know who  
17 turned him in, but somebody turned him in. I was  
18 already gone by this point.

19 Q. So you're talking --

20 A. And it -- and it shows the -- it shows the  
21 different treatment. I -- I -- you know, different  
22 treatment when it comes to Brett Nevarez and other  
23 people.

24 Q. Do you know why it has this format with  
25 "Tuesday, July 16, 2019" at the top and time stamped?

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1 A. No, I do not.

2 Q. Is this something you personally collected  
3 off of a website?

4 A. No. I can't get on any of those websites.  
5 I'm blocked from all those. I don't have a way to get  
6 on any of those websites. If you're speaking about,  
7 you know, Southwest or -- and nobody can get on union  
8 websites, so, I mean, I don't know where this came  
9 from.

10 Q. Okay.

11 MR. CORRELL: Counsel, let's take a  
12 15-minute break so I can look at those documents and  
13 then if I don't have anything, I'll be passing the  
14 witness.

15 MR. GILLIAM: Okay. Sounds good.

16 VIDEOGRAPHER: We are going off the record  
17 at 3 o'clock p.m.

18 (Break from 3:00 p.m. until 3:13 p.m.)

19 VIDEOGRAPHER: We are going back on the  
20 record at 3:13 p.m.

21 BY MR. CORRELL:

22 Q. Ms. Carter, while we were off the record  
23 your counsel indicated that you wanted to provide  
24 additional clarification on Exhibit 18. Can you please  
25 go ahead and provide that information?

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1 A. Yes. Yes. When it did say "me" on here,  
2 that is from me. That went to Dawn Wann. So it was a  
3 text message. I couldn't read it, and this had been  
4 being passed around. So I did send it to Dawn since  
5 she had been on the board before.

6 Q. So I make sure I understand kind of the  
7 pathway here correctly, so you took this screenshot  
8 from a website and then put it into a text message to  
9 Ms. Wann?

10 A. I didn't take the screenshot. The  
11 screenshot was actually sent to me, and I don't know if  
12 it was anonymously sent to me on Facebook through  
13 Messenger, and that's when -- and like I said, it was  
14 being passed around, and then I sent it to Don that  
15 evening.

16 Q. Do you still have a copy of the anonymous  
17 Facebook message that you received and passed around?

18 A. No, I go through -- I go through my  
19 Facebook thing because I get junk all the time on there  
20 and just erase them so I just -- you can -- you can  
21 erase them just like an email.

22 Q. So you destroyed that document?

23 A. Well, it's the text document right here,  
24 but yeah, this is how it came to me.

25 Q. Are there other email -- are there other

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1 messages you've received concerning disciplinary  
2 matters at 556 that you received in Messenger?

3 A. No, this is the only one, and I think it's  
4 because it had -- the original post -- because I  
5 remember the post that Brett Nevarez put out there and  
6 he had referenced my case and so I think that's the  
7 reason somebody sent this to me.

8 Q. And when you say you received an anonymous  
9 message through Messenger, who did it identify as  
10 sending the message?

11 A. It just always is a random, a random name,  
12 like -- you know, it can be anybody. I get messages  
13 from -- and I know this sounds awful, but it's true,  
14 it's almost like a dating site these days where if they  
15 see your Facebook, they send you messages. I've had  
16 people ask me out on Facebook that I don't even know.

17 Q. What was the random name on the message?

18 A. I don't remember what this one is. All I  
19 know is that I clicked on it and it said, "For your  
20 eyes," and I read it and this is what it said.

21 Q. Did you respond to that message?

22 A. No, I did not.

23 Q. So you -- just so I understand your  
24 testimony, you received an allegedly anonymous message  
25 containing information from 556 about discipline.

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1 You --

2 A. It wasn't -- I mean, I don't --

3 Q. Let me -- I want to try and understand your  
4 testimony, Ms. Carter.

5 A. I'm sorry?

6 Q. I want to make sure I understand your  
7 testimony that we are clarifying here.

8 A. Okay.

9 Q. So you received an anonymous message  
10 through Facebook Messenger from a person you didn't  
11 know containing disciplinary information about, it  
12 appears to be Chris Click, from a 556 system. You took  
13 that information, relayed it to Ms. Wann, but destroyed  
14 the anonymous email?

15 A. The -- it just has -- it just has a funky  
16 name to it. All it -- that's all it did. I don't know  
17 who sent this to me. But I did -- yeah, I mean, it was  
18 being passed around. Somebody had put it also I think  
19 out on ONE LUV at some point, and then they took it  
20 down. So I don't know who sent this. All I know is  
21 that it -- it was in response to a social media thing  
22 that Brett Nevarez had put out, and it was showing my  
23 case, I think it was Jerry Lindermann and Chris Click's  
24 case, my friend Kent Hand's case which Brett Nevarez  
25 had a nondisclosure to not talk about that case.

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1 Q. To make it clear, the message you are  
2 talking about was Mr. Nevarez talking about federal  
3 lawsuits, correct, not internal disciplinary documents?

4 A. Correct, they were federal lawsuits.

5 Q. Whereas this appears to be internal  
6 disciplinary documents from within the union, correct?

7 A. I didn't know where the internal discipline  
8 document came from. I'm trying to tell you that. All  
9 I know is that somebody sent it to me, because it had  
10 referenced to me and all the other people that he was  
11 talking about. And so I sent it to Dawn to find out,  
12 you know, do you know anything about this and she said  
13 no, she said she'd heard that it had been going around.

14 Q. When did you receive this document via  
15 Facebook Messenger?

16 A. Oh gosh, it's been a long time ago. I  
17 don't even know --

18 Q. Close in time when you sent it to Ms. Wann?

19 A. I'm sorry?

20 Q. Close in time to when you sent it to  
21 Ms. Wann?

22 A. It probably would have been within a few  
23 days after I got a message, I mean, because I don't  
24 check my messages daily on Facebook.

25 Q. And how long after you sent this to

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<p>1 Ms. Wann did you delete the Facebook Messenger message?</p> <p>2 A. I delete my Facebook Messenger messages</p> <p>3 pretty much every day.</p> <p>4 Q. Well, it --</p> <p>5 A. If I get -- if I get on it. You know, if</p> <p>6 I'm looking at my messages I just go back and delete</p> <p>7 them, otherwise it's just like a bunch of emails.</p> <p>8 Q. So are you under the understanding that you</p> <p>9 have an obligation in connection with this lawsuit to</p> <p>10 preserve documents and data concerning your case?</p> <p>11 A. I did. This is a document.</p> <p>12 Q. Are there other documents of this nature</p> <p>13 that were sent to you via Facebook Messenger that you</p> <p>14 have destroyed?</p> <p>15 A. No.</p> <p>16 Q. Are there other communications about your</p> <p>17 lawsuit -- are there communications about your lawsuit</p> <p>18 that you received through Facebook Messenger that you</p> <p>19 have destroyed?</p> <p>20 A. No.</p> <p>21 Q. Are there communications about Audrey Stone</p> <p>22 that you received through Facebook Messenger that you</p> <p>23 have destroyed?</p> <p>24 A. No.</p> <p>25 Q. So this is the one and only document that</p>	<p>1 you have ever received having anything to do with this</p> <p>2 case that you destroyed?</p> <p>3 A. That I destroyed? I didn't know that I was</p> <p>4 destroying it. This is the document that I received.</p> <p>5 Q. Correction. The Facebook message from the</p> <p>6 anonymous sender is the only document you believe you</p> <p>7 have destroyed that concerns --</p> <p>8 A. Yes. Yes.</p> <p>9 Q. -- Southwest Airlines discipline --</p> <p>10 A. Yes, because I've given everything over to</p> <p>11 my attorney.</p> <p>12 Q. And again, you couldn't tell me when you</p> <p>13 got this relative to when you sent this to Ms. Wann.</p> <p>14 So presumably you didn't delete it immediately because</p> <p>15 you took time to send it to Ms. Wann, correct?</p> <p>16 A. No. Whenever I looked at the message it</p> <p>17 was -- you know, obviously I sent it on to her from the</p> <p>18 time I got it. But I'm saying I don't remember -- you</p> <p>19 asked me when I had gotten that message, I don't really</p> <p>20 remember exactly the date that I got this message, but</p> <p>21 when I read it, yeah, I would have send it on to her to</p> <p>22 ask her, hey, you know, what do you think of this?</p> <p>23 Q. Did she give you any responses to receiving</p> <p>24 this information from you?</p> <p>25 A. She -- no. She said that she had already</p>
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<p>1 seen it, that it had been being passed around on -- it</p> <p>2 was either on ONE LUV -- it was somewhere on one of the</p> <p>3 union Facebook pages.</p> <p>4 Q. Did you ever see it in any other location</p> <p>5 besides the anonymous message that you received?</p> <p>6 A. It was in a thread I think, but that has</p> <p>7 been -- that's been taken down. So whoever is the</p> <p>8 admin in that particular, you know, Facebook page or</p> <p>9 whatever I think they had taken it done because I don't</p> <p>10 know if that's -- I mean, I think Brett probably told</p> <p>11 them to take it down at some point.</p> <p>12 Q. Okay.</p> <p>13 MR. CORRELL: Well, thank you for that</p> <p>14 clarification Ms. Carter. I pass the witness.</p> <p>15 MR. GREENFIELD: Am I up to bat here?</p> <p>16 MR. GILLIAM: Yes.</p> <p>17 EXAMINATION</p> <p>18 BY MR. GREENFIELD:</p> <p>19 Q. Okay. While we're on Exhibit 18,</p> <p>20 Ms. Carter -- and I'm sorry, my name is Adam Greenfield</p> <p>21 and I'm one of the counsels for TWU Local 556 in this</p> <p>22 matter. Do you understand who I am and whom I</p> <p>23 represent?</p> <p>24 A. Yes.</p> <p>25 Q. And do you understand that you are still</p>	<p>1 under oath at this time?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. While we're on Exhibit 18, I would</p> <p>4 request that through you and counsel work together, I</p> <p>5 believe there's a download history function on your</p> <p>6 Facebook. If it's possible to produce that document or</p> <p>7 retrieve that document and produce it in its native</p> <p>8 format, I would ask that y'all do that.</p> <p>9 MR. GILLIAM: We will look into it.</p> <p>10 A. Yeah, because I've never heard of anything</p> <p>11 like that.</p> <p>12 BY MR. GREENFIELD:</p> <p>13 Q. Okay. I will do my best to send some</p> <p>14 instructions on how to do that to your counsel for your</p> <p>15 counsel to share with you.</p> <p>16 A. Okay.</p> <p>17 MR. GILLIAM: Please do. Yes.</p> <p>18 MR. GREENFIELD: Okay. Thank you, guys.</p> <p>19 BY MR. GREENFIELD:</p> <p>20 Q. Ms. Carter, is it my understanding that as</p> <p>21 part of your lawsuit you believe that Audrey Stone</p> <p>22 tried to get you fired from your position at Southwest</p> <p>23 Airlines?</p> <p>24 A. Did she try to get me fired?</p> <p>25 Q. That she tried to do that.</p>

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<p>1 A. Yeah, she tried to get me fired and she</p> <p>2 did.</p> <p>3 Q. Okay. And why do you believe that, why do</p> <p>4 you think she did that?</p> <p>5 MR. GILLIAM: Objection. Calls for</p> <p>6 speculation but go ahead and answer.</p> <p>7 A. Because I was dissenting against what they</p> <p>8 were doing as the union and that I had issues with -- I</p> <p>9 was a recall person, I had also opted out. There was</p> <p>10 much hate for the people that had opted out and much</p> <p>11 hate for the people that were supporting the recall.</p> <p>12 BY MR. GREENFIELD:</p> <p>13 Q. Okay. So you believe that Ms. Stone tried</p> <p>14 to get you fired from Southwest Airlines because you</p> <p>15 were an objector, you opted out of the union, and</p> <p>16 because you took a stance in the recall effort, is that</p> <p>17 fair?</p> <p>18 A. That is correct.</p> <p>19 Q. Okay. And when did you become an objector?</p> <p>20 A. I became an objector in 2013.</p> <p>21 Q. Okay. And what does that mean to you that</p> <p>22 you are an objector?</p> <p>23 A. The objector means that I still pay dues to</p> <p>24 the local, that the only thing that doesn't get taken</p> <p>25 out of my check which I would get a refund back to or</p>	<p>1 from was international and that had to do with,</p> <p>2 quote-unquote, supposed political purposes. Okay?</p> <p>3 The reason I opted out or was an objector</p> <p>4 was because I didn't support the things that TWU</p> <p>5 International, AFL-CIO, and our local at the time were</p> <p>6 supporting.</p> <p>7 Another reason that I was an objector was</p> <p>8 because of the coup that went on again to remove our</p> <p>9 duly elected representatives. This had happened twice</p> <p>10 once with Melissa Smith and then again with Chris</p> <p>11 Click, Jerry Lindermann, and Stacy Martin. Okay?</p> <p>12 There was no reason to remove these duly elected</p> <p>13 representatives.</p> <p>14 And then on top of that -- but my dues</p> <p>15 still paid for local stuff that they did, so I still</p> <p>16 paid full dues, I got a check back from international</p> <p>17 every quarter for about \$27 and change, and then I</p> <p>18 couldn't go to any union meetings and I couldn't vote</p> <p>19 on anything. But my voice still stood as they're still</p> <p>20 collecting my dues.</p> <p>21 I was called a scab. I was -- they -- they</p> <p>22 passed around an entire list of all of us that had --</p> <p>23 were that the ones that were the objectors and the</p> <p>24 recall people. We were all the ones that were targeted</p> <p>25 by Audrey Stone and her administration and the people</p>
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<p>1 that supported her, and were all the ones that were</p> <p>2 turned in for all kinds of -- all kinds of things. So</p> <p>3 this was a way for her to get me fired.</p> <p>4 Q. Okay. Thank you for that, Ms. Carter.</p> <p>5 What I'd like to focus on out of that</p> <p>6 testimony is that in 2013 when you became an objector,</p> <p>7 you were no longer a member of the union, correct?</p> <p>8 A. I'm an objector but I still pay dues.</p> <p>9 Q. Okay. But as part of that, you are not</p> <p>10 allowed to vote, correct?</p> <p>11 A. I just said that, yes, not allowed a vote.</p> <p>12 Q. And you're not allowed to attend union</p> <p>13 meetings?</p> <p>14 A. Correct.</p> <p>15 Q. And that has been since 2003?</p> <p>16 A. Correct -- '13.</p> <p>17 Q. Okay. Since 2013. Excuse me.</p> <p>18 Now as far as the recall efforts go, there</p> <p>19 was a petition, correct, are you aware of that?</p> <p>20 A. Oh yes. Yes.</p> <p>21 Q. And you aren't actually allowed to be a</p> <p>22 part of that petition or sign that petition as an</p> <p>23 objector, correct?</p> <p>24 A. No, I wasn't able to sign the petition, but</p> <p>25 I can still voice my opinion on that petition.</p>	<p>1 Q. Oh, when you say voice your petition, in</p> <p>2 what way?</p> <p>3 A. I supported the people that were recalling</p> <p>4 our board and was vocal about it.</p> <p>5 Q. Okay. And what information are you basing</p> <p>6 your account of that Ms. Stone would be aware that you</p> <p>7 were part of the recall efforts if you weren't actually</p> <p>8 able to sign that petition?</p> <p>9 A. Because they had a list of all the people</p> <p>10 that were talking about the recall.</p> <p>11 Q. Who had a list?</p> <p>12 A. The union.</p> <p>13 Q. Who at the union?</p> <p>14 A. The actual -- the actual people within the</p> <p>15 union such as Audrey, Brett, Cuyler. They -- they had</p> <p>16 a whole list that was made up of all the people that</p> <p>17 were the objectors that they passed around to the</p> <p>18 membership and the recall people.</p> <p>19 Q. Is this a document you have seen?</p> <p>20 A. It is a document, yes, that I have seen.</p> <p>21 It was posted on all of the Facebook pages that we were</p> <p>22 all connected to within that time period.</p> <p>23 Q. Do you have this document?</p> <p>24 A. I believe I've given it to my attorneys,</p> <p>25 yes.</p>



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<p>1 Q. And you provided it to your counsel?</p> <p>2 A. I believe he's got it, yes.</p> <p>3 Q. Okay. And do you know who created this</p> <p>4 document?</p> <p>5 A. I know at one point Don Shipman had done</p> <p>6 it, and then I believe that Brett Nevarez and Brian</p> <p>7 Talbert wanted the names distributed and they talked</p> <p>8 about this.</p> <p>9 Q. All right. Who is Don Shipman?</p> <p>10 A. Don Shipman was someone else I don't</p> <p>11 remember what all he did for the union. I think he was</p> <p>12 part of the negotiating team at one point, along with</p> <p>13 Brett Nevarez and Audrey Stone.</p> <p>14 Q. Okay. And so what is the basis of your</p> <p>15 testimony that Don Shipman created -- created this</p> <p>16 document?</p> <p>17 A. It was -- it was just common knowledge that</p> <p>18 he was the one who ended up -- not creating it but was</p> <p>19 passing things around.</p> <p>20 Q. I'm sorry. Can you repeat that? I'm</p> <p>21 sorry, I had to switch off of my headphones.</p> <p>22 A. That's okay. I don't -- I don't think he</p> <p>23 was the one that like per se created it. I think a lot</p> <p>24 of them just, you know, created the names that they</p> <p>25 knew. He was the one who actually started to</p>	<p>1 distribute it at some point and then it became common</p> <p>2 knowledge of who all we were.</p> <p>3 Q. All right. And where was this document</p> <p>4 distributed?</p> <p>5 A. On every Facebook page that flight</p> <p>6 attendants were a part of.</p> <p>7 Q. Okay. And have you produced any evidence</p> <p>8 or documentation to your attorneys that Don Shipman was</p> <p>9 creating and distributing this information?</p> <p>10 A. I didn't say he was the one that created</p> <p>11 it. I said that he was one that had been, you know,</p> <p>12 distributing. But there were others that were</p> <p>13 distributing this information. I do believe it is in</p> <p>14 some of the information that I sent to my attorneys</p> <p>15 regarding this, yes.</p> <p>16 Q. Okay. And same for Brett Nevarez, what is</p> <p>17 your basis for your testimony that he created any of</p> <p>18 these documents?</p> <p>19 A. He spoke about the passing around the</p> <p>20 information.</p> <p>21 Q. All right. When did he speak about it?</p> <p>22 A. That he needed to make sure that all of --</p> <p>23 that -- that the membership should be aware of what he</p> <p>24 called scabs.</p> <p>25 Q. Okay. And when did he say that?</p>
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<p>1 A. You know what? I don't remember. It had</p> <p>2 to have been back in -- I can't -- I -- I don't</p> <p>3 remember the date. I just know it's been going on for</p> <p>4 a while.</p> <p>5 Q. Did you personally hear him say that?</p> <p>6 A. I personally was threatened by Brett</p> <p>7 Nevarez.</p> <p>8 Q. Okay. I appreciate that but my question</p> <p>9 was a little bit different. I was asking if you had</p> <p>10 personally heard Brett Nevarez speak about the topic</p> <p>11 that we are discussing right now.</p> <p>12 A. About the recallers and the objectors, just</p> <p>13 seeing it on different messages that he was, you know,</p> <p>14 on Facebook.</p> <p>15 Q. Okay. But nothing you personally</p> <p>16 witnessed?</p> <p>17 A. Not -- not in that context, no.</p> <p>18 Q. Okay. And same goes for Mr. Brian Talbert</p> <p>19 what evidence or information, if any, do you have that</p> <p>20 Mr. Talbert was creating lists, those lists?</p> <p>21 A. I didn't say he created them. He was</p> <p>22 distributing them, let's put it that way.</p> <p>23 Q. And what is your basis for saying that</p> <p>24 Mr. Talbert was distributing these lists?</p> <p>25 A. It was common knowledge throughout the</p>	<p>1 entire flight attendant group because it was on</p> <p>2 different web pages, it was on different flight</p> <p>3 attendant Facebook pages.</p> <p>4 Q. Okay. Do you have any personal knowledge</p> <p>5 of Mr. Talbert distributing that information?</p> <p>6 A. Not personal on that, but again, him</p> <p>7 threatening me, yes.</p> <p>8 Q. All right. While we're on those subjects,</p> <p>9 in what way did Mr. Talbert threaten you?</p> <p>10 A. Well, the recall people -- or I'm sorry.</p> <p>11 The objectors through a text message -- or not text</p> <p>12 message. I'm sorry. On a Facebook post that was</p> <p>13 distributed and then also the one that he called for an</p> <p>14 execution, that would be the one that was regarding all</p> <p>15 of the -- us as objectors -- and Greg Hofer was the</p> <p>16 leader of that objector team basically. And then he</p> <p>17 had put out, Brian Talbert, that I should never -- and</p> <p>18 I've got that -- that Charlene Carter should never hold</p> <p>19 any position within the union and so on and so forth.</p> <p>20 I've also got other communication from Brian Talbert</p> <p>21 when I asked him to cease and desist of trashing my</p> <p>22 name, and I've turned that over to my attorneys as</p> <p>23 well.</p> <p>24 Q. Okay. Did you ever -- this is what you</p> <p>25 were referring to earlier I believe in which you,</p>

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1 yourself, turned Mr. Talbert in to the company for a  
 2 violation of the social media policy; is that correct?  
 3 A. He is the only one I ever, ever turned in,  
 4 ever, at Southwest Airlines. We just didn't do that  
 5 back in the day. But when he called for an execution  
 6 of one of them or any of them, and especially Greg  
 7 Hofer, it either meant a physical execution or it meant  
 8 an execution on taking your job away, turning someone  
 9 in.

10 Q. Okay. And did you ever discuss that post  
 11 with Mr. Talbert?

12 A. The post that I discussed with Mr. Talbert  
 13 and we went back and forth was the one where he was  
 14 trashing me when I was running for delegate back in  
 15 2013, and he had said that I should never hold any  
 16 position at all, and I basically was being warned or  
 17 put on notice or whatever, I can't remember exactly the  
 18 wording of it, and that the reason for it was because I  
 19 had used the word "decertify."

20 Q. Okay. And when was that?

21 A. That would have been back in I want to say  
 22 2013. That's when it really started, them speaking and  
 23 trashing my name.

24 Q. Okay. And the post, what specifically --  
 25 what specific violation was it that you turned

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1 Mr. Talbert in for into Southwest Airlines for?

2 A. It would have been a direct threat because  
 3 he called for an execution.

4 Q. Okay. And when was that?

5 A. That would have been -- would have been  
 6 someone -- somewhere around in 2013 because it was when  
 7 we were all opting out.

8 Q. Okay.

9 A. I do believe.

10 Q. All right. And -- and you did this -- did  
 11 you ever ask to have a meeting with the union and  
 12 Mr. Talbert to discuss that post?

13 A. No, I did not have a meeting with  
 14 Mr. Talbert. I did have a conversation personally with  
 15 Mr. Talbert, but I didn't have a meeting with him.

16 Q. Did you ever request anyone in the union  
 17 to -- that Mr. Talbert be disciplined for that post?

18 A. No, because I contacted him directly.

19 Q. Okay. Any reason why you didn't raise that  
 20 to the executive board or anyone else in power at the  
 21 union?

22 A. Because it was common knowledge that he was  
 23 being protected by the union and Audrey was able to  
 24 keep him from getting in trouble.

25 Q. Okay. But you made no attempts; is that

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1 correct?

2 A. Personally I did not. I think there may  
 3 have been some others that did.

4 Q. Okay.

5 A. Actually I think there was a letter though,  
 6 I -- correct me. Okay. Because there's some --  
 7 there's been so much that has gone on within this  
 8 union. I think we all did sign on to a letter that  
 9 went to the union in regards to this. I think all of  
 10 us signed on to -- there may have been a petition if I  
 11 remember correctly. I'd have to look back. I can't  
 12 now -- I can't remember. I'm pretty sure we did  
 13 contact the union. Not her -- not as an individual but  
 14 I think it was a -- it was a conglomeration of us,  
 15 trying to protect our names.

16 Q. Okay. But you don't remember specifically  
 17 one way or the other?

18 A. I -- I'm pretty sure we did. I just don't  
 19 have -- I know it was like a little form letter thing  
 20 that we were all, you know, trying to send out to -- I  
 21 don't know it's been so long ago that was back in 2000  
 22 and I think '13, but I do remember that we -- you know,  
 23 and the only reason that we were sending the letters to  
 24 the company was because of the fact that it  
 25 said "execution" on it. We were all afraid that he

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1 would get one of us fired or -- you know, Greg Hofer  
 2 was actually I think afraid of him at one point.

3 Q. Okay. And you say get you fired.

4 Mr. Talbert is not in management at Southwest Airlines,  
 5 is he, or was he at that time?

6 A. He's not in management, but he was on a lot  
 7 of committees and he worked alongside our VP of  
 8 in-flight.

9 Q. Okay. But it's your testimony that  
 10 Mr. Talbert would have the power to get you terminated?

11 A. If he turns in something, a social media  
 12 violation of some sort, yeah, he could.

13 Q. Okay. Well, that would -- you would still  
 14 have to have violated the social media policy of some  
 15 sort, is that right, I mean, for Southwest to terminate  
 16 you?

17 A. The only way that Southwest gets any of  
 18 this information is if somebody is turned in.

19 Q. Okay. But you would still -- for Southwest  
 20 to terminate you would still have had to violate their  
 21 social media policy, correct?

22 A. Depending upon who you are.

23 Q. Okay. And what line do you separate there?

24 A. Well, I mean, you can look at this being  
 25 that Brett Nevarez violated social media policy, but

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1 yet he didn't get -- I mean, it even says in this  
2 letter right here -- that he didn't get any kind of  
3 discipline, that they just had to have a meeting with  
4 him.

5 Q. Do you know if Brett Nevarez is still an  
6 employee of Southwest Airlines?

7 A. He is.

8 Q. Okay. Now, do you think that that line  
9 that you are describing falls on whether you are an  
10 objector or not?

11 MR. GILLIAM: Objection, vague. You can  
12 answer.

13 A. You mean as in being harmed by the union  
14 and the company?

15 BY MR. GREENFIELD:

16 Q. Yes, ma'am.

17 A. Yes, it has direct relation to being an  
18 objector.

19 Q. Why do you think Southwest Airlines holds  
20 some sort of bias against objectors?

21 MR. GILLIAM: Objection. Calls for  
22 speculation. You can answer.

23 A. Honestly that I don't know.

24 BY MR. GREENFIELD:

25 Q. Okay. Well, you would agree that generally

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1 the ones that were really harmed.

2 Q. Okay. And at that time, around 2013,  
3 that's what we're talking about, correct?

4 A. It went from 2013 all the way till the time  
5 Audrey and them left office.

6 Q. Okay. But you opted out in 2013?

7 A. Correct.

8 Q. Along with approximately a hundred others,  
9 is that about right?

10 A. Correct.

11 Q. Okay. Are -- do you have any evidence  
12 today that any of those other individuals have been  
13 singled out for termination or retribution or is it  
14 just you?

15 A. No, there was quite a few.

16 Q. Okay. Who else?

17 A. Jeanna Jackson, Greg Hofer, Mike Casper,  
18 Kent Hand, Diane Cavanaugh, or -- she goes by Amy  
19 Thompson. Those are just a few off the top of my head  
20 right now.

21 Q. Okay. And were all those individuals --

22 A. Holly, Holly Immamovic. She was the  
23 loudest when it came to the contract signing.

24 Q. Okay. And is it -- it's your contention  
25 that none of those -- that those individuals were

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1 if anyone's at odds, it's the union and the company, is  
2 that correct, traditionally?

3 A. Traditionally, but that wasn't what was  
4 happening under Audrey's administration.

5 Q. Okay. But Southwest's administration  
6 hadn't changed, had it?

7 MR. GILLIAM: Objection, vague.

8 A. When you say administration you mean as in  
9 the people that work there?

10 BY MR. GREENFIELD:

11 Q. Well, yeah, I'm trying to understand how  
12 those two ideas jive, that, you know, generally I think  
13 the company -- most companies would prefer not to have  
14 a unionized workforce. So I'm trying to understand why  
15 you think the company would hold an animus against  
16 somebody who doesn't want to be a part of the union.

17 A. Because during the contract negotiations we  
18 were the loudest and Southwest Airlines wanted the  
19 contract signed.

20 Q. Okay.

21 A. And so -- and we know that Audrey and them  
22 were selling us a bad contract and we were very vocal  
23 on it, and that was one of the other reasons that we  
24 decided to opt out and then also call for recall, and  
25 we were also -- all the ones that were doing that were

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1 terminated for an unlawful basis as well?

2 A. They were targeted.

3 Q. Well, that's a little bit different than my  
4 question is that they were terminated for an unlawful  
5 basis or not.

6 A. Some of them were. Some of them were given  
7 30-day suspensions. Some of them were given extra  
8 30-day suspensions, and others were not.

9 Q. Okay. Who was not?

10 A. For -- for -- for I would say even worse  
11 violations than -- the whole social media policy became  
12 a way for them to target certain people.

13 Q. All right. Who was treated -- who was  
14 treated more favorably than you regarding the social  
15 media --

16 A. One particular, I would say Rickey Span who  
17 called for the death of Jeanna Jackson and she was the  
18 main recall supporter. She had turned that in and the  
19 company did nothing.

20 Q. Okay. Anyone else?

21 A. Well, Brian Talbert got fired, but he got  
22 his job back pretty quickly without a nondisclosure  
23 after threatening an execution.

24 Q. Anyone else?

25 A. Well, I gave all that information. I

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<p>1 don't -- you know, at the moment can't recall a bunch 2 of other people. I know that Josh Rosenberg, there was 3 Casey Rittner, there was, oh, Bill Holcomb, and he was 4 part of the negotiating team. He actually put out 5 there about a passenger, which was very sexually 6 harming to a passenger. 7 Q. Okay. Anyone else? 8 A. There's others, I just can't remember all 9 the names. 10 Q. Okay. So your testimony is that Rickey 11 Span was treated more favorably than you in regard to, 12 specifically, the implementation of Southwest's social 13 media policy; is that correct? 14 A. That is correct. 15 Q. All right. Now, do you know who turned 16 Rickey Span in for this social media violation? 17 A. I do. Jeanna Jackson, because he called 18 death upon her when she came to -- or when she was 19 supposed to turn in the recall petition. 20 Q. Okay. And specifically you say wished 21 death upon her. What did he -- what did he post or 22 say? 23 A. He made a video and threatened her. 24 Q. In what -- in what way? 25 A. I turned it over to my attorneys. I think</p>	<p>1 that they can probably send it to you. 2 Q. Have you seen it? 3 A. I have. 4 Q. Okay. And so in what way did he threaten 5 Jeanna Jackson? 6 A. He said for the -- and I can't quote him 7 specifically, but it had to do with turning over the -- 8 the recall positions, there will be -- there -- death 9 will come upon you and the recall. 10 Q. All right. While we're on the recall 11 petition, did you ever review the finding -- there was 12 a committee formed to review the recall petition, are 13 you aware of that? 14 A. A committee to what? I'm sorry? 15 Q. Review the recall petition. Are you aware 16 of that? 17 A. Yes. 18 Q. Okay. And did you ever review any of their 19 findings? 20 A. Yes, I did. 21 Q. Okay. And are you aware that some of their 22 findings included forged -- forgery signatures, fraud, 23 and not enough signatures to actually support a recall, 24 are you aware of that? 25 A. Yes, I am aware of that.</p>
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<p>1 Q. Okay. Let's go on to Brian Talbert. You 2 are the one who turned him in, correct? 3 A. No, I was -- it was many, many people that 4 turned him in, but yes, I did, I was one of them, yes, 5 because I knew that that was -- he was coming after the 6 objectors. 7 Q. All right. Do you have any personal 8 knowledge of any other individuals turning in 9 Mr. Talbert for social media violations? 10 A. I don't know the list, but I know that 11 there was quite a few. 12 Q. Okay. Do you have any personal knowledge 13 of any individuals turning in Mr. Talbert? 14 A. Well, I know that Greg Hofer did because he 15 came after him specifically. 16 Q. Okay. How do you know that Mr. Hofer 17 turned in Mr. Talbert for the violations? 18 A. Because he spoke to me about it after he 19 found out that Brian was back out online. 20 Q. Okay. And he told you that, "I turned" -- 21 words to the effect that, "I turned in Brian Talbert 22 for violation of social media policy"? 23 A. Yes. 24 Q. Okay. But you didn't witness it 25 personally?</p>	<p>1 A. No, I didn't witness it. 2 Q. Okay. What about Josh Rosenberg, do you 3 know who turned in Mr. Rosenberg for violation of the 4 social media policy? 5 A. No, I do not. 6 Q. Okay. And do you know what he was turned 7 in for? 8 A. He had posted on his Facebook page, it was 9 during the contract negotiations, with a gun pointed 10 and underneath it saying, "Gary, sign now" or "Gary" 11 something or another. So that's Gary Kelly, our CEO, 12 with a gun above it stating, "Gary, sign now." 13 Q. Okay. And was Mr. Rosenberg an objector? 14 A. No, he was not. But he I believe is still 15 working at Southwest Airlines. 16 Q. Do you know if -- do you know what sort of 17 agreement Mr. Rosenberg was offered to retain his 18 employment? 19 A. No, I do not. 20 Q. Do you know if Mr. Rosenberg was offered a 21 last chance agreement? 22 A. I do not. 23 Q. Okay. What about Mr. Talbert? You 24 actually said Mr. Talbert was terminated at some point 25 A. Yes, he was. Actually he's been terminated</p>

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<p>1 a couple of times. And I think all for social media.</p> <p>2 The first time I do know that through testimony from</p> <p>3 the past or stuff that we just did, what, two weeks</p> <p>4 ago, that -- and even in my arbitration, the first</p> <p>5 violation that he had with the post, he was brought</p> <p>6 back within I believe two weeks and he did not have to</p> <p>7 sign a nondisclosure.</p> <p>8 Q. How do you know that?</p> <p>9 A. It was in the testimony given.</p> <p>10 Q. Do you have any personal knowledge of what</p> <p>11 Mr. Talbert signed?</p> <p>12 A. I don't have personal knowledge.</p> <p>13 Q. Okay. Now, Mr. Talbert was ultimately</p> <p>14 fired for social media violations, correct?</p> <p>15 A. He -- no, he's still with the company.</p> <p>16 Q. Okay. And do you know if he's been offered</p> <p>17 a last chance agreement?</p> <p>18 A. It was said no, he had not been offered a</p> <p>19 last chance agreement. He didn't have to sign anything</p> <p>20 to come back.</p> <p>21 Q. Okay. And what about Casey Rittner, do you</p> <p>22 know who turned him in for violations of social media?</p> <p>23 A. That I do not know.</p> <p>24 Q. And do you know why, what's the basis --</p> <p>25 A. I believe it's the same thing, with a gun</p>	<p>1 pointed to Gary Kelly or with Gary Kelly, I think it</p> <p>2 was the same type of thing as Josh Rosenberg.</p> <p>3 Q. Okay. And what about Bill Holcomb?</p> <p>4 A. Bill Holcomb was -- I don't think he was</p> <p>5 terminated. I don't know what kind of punishment he</p> <p>6 got. But he was the one who posted on his personal</p> <p>7 Facebook page about a passenger, that there was a</p> <p>8 banana peel that was on the floor and he made a very</p> <p>9 sexual derogatory comment about the female passenger.</p> <p>10 Q. Okay. And do you know if Mr. Holcomb was</p> <p>11 terminated?</p> <p>12 A. No, he was not.</p> <p>13 Q. Do you know if he received a last chance</p> <p>14 agreement?</p> <p>15 A. I don't believe he did.</p> <p>16 Q. Okay. And why do you think Mr. Holcomb was</p> <p>17 treated more favorably than you?</p> <p>18 A. Because he was on the negotiating team,</p> <p>19 working with Audrey and Brett.</p> <p>20 Q. Okay. Now, I believe your testimony</p> <p>21 earlier today was that Ms. Stone was not permitted to</p> <p>22 turn you in to Southwest Airlines because it violated</p> <p>23 the union constitution and bylaws; is that correct?</p> <p>24 A. They take an oath, yes, to not harm a</p> <p>25 member.</p>
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<p>1 Q. Not harm a member, that's right. And at</p> <p>2 the time she turned you in, you were not a member; is</p> <p>3 that correct?</p> <p>4 A. I was a dues payor.</p> <p>5 Q. You were not a member of the union,</p> <p>6 correct?</p> <p>7 A. I'm sorry?</p> <p>8 Q. You were not a member of the union,</p> <p>9 correct?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And so why do you think that she</p> <p>12 then violated that portion of the union constitution</p> <p>13 and bylaws?</p> <p>14 A. I'm not sure why she did since I was still</p> <p>15 paying her salary.</p> <p>16 Q. Now, that's -- that's an interesting way to</p> <p>17 phrase that. Let's talk about "allocation by budget."</p> <p>18 Are you familiar with that term?</p> <p>19 A. Allocation by -- it -- I know I was paying</p> <p>20 dues to the union still.</p> <p>21 Q. Okay. And do you have any idea what your</p> <p>22 union dues specifically go towards?</p> <p>23 A. It goes for the everyday workings of our</p> <p>24 union and their salaries.</p> <p>25 Q. Would you be surprised to find out that as</p>	<p>1 an objector you are aware that you are entitled to</p> <p>2 representation in the grievance process, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And you received that, correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And on CBA negotiations, correct?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And your money goes to basically</p> <p>9 collective bargaining and negotiations, correct?</p> <p>10 A. Correct.</p> <p>11 Q. Are you aware that your money does not go</p> <p>12 to anything else other than those issues?</p> <p>13 A. I thought that all of our money also paid</p> <p>14 their salaries.</p> <p>15 Q. Okay. Now, would that be -- would that</p> <p>16 surprise to you find that out?</p> <p>17 A. Yeah, it would. It would surprise me to</p> <p>18 find that out.</p> <p>19 Q. Okay. Now, you also believe you, despite</p> <p>20 your dues only going to CBA issues and negotiation</p> <p>21 issues, you believe you should have a say in how the</p> <p>22 union uses its money; isn't that right?</p> <p>23 A. If I'm paying them, yes.</p> <p>24 Q. Well, for other reasons, such as what</p> <p>25 you've deemed to be political speech, supporting the</p>



<p style="text-align: right;">Page 249</p> <p>1 women's march, things of that nature?</p> <p>2 MR. GILLIAM: Objection. Is there --</p> <p>3 sorry. I didn't hear a question.</p> <p>4 A. When I'm paying full dues to my local, I'm</p> <p>5 pretty sure they're using my dues for -- just like they</p> <p>6 would have been if I would have been not an objector.</p> <p>7 BY MR. GREENFIELD:</p> <p>8 Q. And you --</p> <p>9 A. Since I'm paying the -- since I'm paying</p> <p>10 the full amount, except for what international sends</p> <p>11 back to me for not using it in international for their</p> <p>12 political purposes.</p> <p>13 Q. Okay. And what are you basing that on?</p> <p>14 A. That's what I was told.</p> <p>15 Q. Who told you that?</p> <p>16 A. The union.</p> <p>17 Q. Who at the union told you that?</p> <p>18 A. When I was talking with Beth Ross, anybody</p> <p>19 that is in the -- and Dawn Wann, she was in the union,</p> <p>20 she used to be a board member. I've asked her where</p> <p>21 our money goes.</p> <p>22 Q. Okay --</p> <p>23 A. So I was paying full members dues except</p> <p>24 for what they would send to international for political</p> <p>25 purposes, and that was a \$7 and something a month for</p>	<p style="text-align: right;">Page 250</p> <p>1 the quarter, so it would come up to 27 something</p> <p>2 dollars every quarter that I got a check back from</p> <p>3 international, not local.</p> <p>4 Q. Okay. So you're of the opinion that the</p> <p>5 local union spends money on, et cetera, political</p> <p>6 speech, of the money that you pay to them?</p> <p>7 A. It all gets put into one account, does it</p> <p>8 not?</p> <p>9 Q. What are you basing that testimony on?</p> <p>10 A. How our union dues were also collected</p> <p>11 prior to me opting out.</p> <p>12 Q. You actually don't have any personal</p> <p>13 knowledge about where your union dues are being paid,</p> <p>14 correct, or what you pay?</p> <p>15 A. They support everything that the union</p> <p>16 local does.</p> <p>17 Q. That wasn't my question, ma'am. My</p> <p>18 question was that you don't actually have any personal</p> <p>19 knowledge about where the money is being spent, do you?</p> <p>20 A. Only when we get the LM2s and if you go in</p> <p>21 and you ask for how the money is being spent.</p> <p>22 Q. Okay.</p> <p>23 A. But that money is all collected from</p> <p>24 everybody that pays the dues.</p> <p>25 Q. So you --</p>
<p style="text-align: right;">Page 251</p> <p>1 A. That's their -- that's their working</p> <p>2 capital.</p> <p>3 Q. So based on your reviewing LM2s, you were</p> <p>4 able to discern how your money was being used; is that</p> <p>5 correct? Is that your testimony today?</p> <p>6 A. I would say members' money is being used,</p> <p>7 yes.</p> <p>8 Q. I'm asking about your personal funds that</p> <p>9 you are contributing.</p> <p>10 A. My personal funds? I don't know how much</p> <p>11 exactly has been used out of my money to be able to</p> <p>12 support these things.</p> <p>13 Q. Okay. Thank you.</p> <p>14 Now it's also your opinion that the union</p> <p>15 is spending money to support Planned Parenthood; is</p> <p>16 that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. What is your basis of that</p> <p>19 testimony?</p> <p>20 A. Through our union dues -- well, they went</p> <p>21 to the march, and then all the way up through TWU</p> <p>22 International, and all the way up to the AFL-CIO, they</p> <p>23 make contributions to Planned Parenthood and I've given</p> <p>24 that documentation to my attorney.</p> <p>25 Q. You've given documentation that shows TWU</p>	<p style="text-align: right;">Page 252</p> <p>1 Local 556 donating money to Planned Parenthood?</p> <p>2 A. Through our dues that go all the way up to</p> <p>3 international, yes.</p> <p>4 Q. Well your dues you just said don't go up to</p> <p>5 international, correct?</p> <p>6 A. No, they still collect a certain part of</p> <p>7 it, they just can't use it, supposedly, for political</p> <p>8 purposes.</p> <p>9 Q. So you -- your testimony --</p> <p>10 A. Like political candidates, and this is what</p> <p>11 I was told, or certain PACs.</p> <p>12 Q. So the basis of your testimony is that you</p> <p>13 believe that they are using it in the way that you have</p> <p>14 not allowed them to do?</p> <p>15 MR. GILLIAM: Objection, vague.</p> <p>16 A. Yeah, I'm not understanding your question.</p> <p>17 BY MR. GREENFIELD:</p> <p>18 Q. Well, your understanding is that your</p> <p>19 contributions do not go up to any sort of political</p> <p>20 speech process; is that correct?</p> <p>21 A. As in political, as in a politician, as in</p> <p>22 a senator or a congressman, yes.</p> <p>23 Q. So you don't believe contributions to</p> <p>24 Planned Parenthood in any way is political speech?</p> <p>25 MR. GILLIAM: Objection to the extent it</p>

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<p>1 calls for a legal conclusion. You can answer.</p> <p>2 A. I don't -- I don't know. I honestly don't</p> <p>3 know.</p> <p>4 BY MR. GREENFIELD:</p> <p>5 Q. Okay.</p> <p>6 A. I don't know why international would be</p> <p>7 sending money to Planned Parenthood. I have no idea.</p> <p>8 Q. Okay. Well, it's fair to say that if they</p> <p>9 are doing what they told you, they're not sending any</p> <p>10 of your dues that you pay, correct?</p> <p>11 A. International?</p> <p>12 Q. Well, your money gets refunded by</p> <p>13 international, isn't that -- wasn't that your</p> <p>14 testimony?</p> <p>15 A. \$7 a month for, you know, a quarter, a</p> <p>16 \$27 check. That is for political as in PACs. This is</p> <p>17 what I was told. Political as in when it comes to</p> <p>18 politicians.</p> <p>19 Q. Okay. So if it doesn't go to a PAC or to a</p> <p>20 specific politician, you believe TWU International can</p> <p>21 use your dues for whatever they like and that they're</p> <p>22 doing that?</p> <p>23 A. Correct.</p> <p>24 Q. You described the removal of office of</p> <p>25 Chris Click and Jerry Lindermann and others as a coup,</p>	<p>1 correct?</p> <p>2 A. Mm-hmm. And it was written about.</p> <p>3 Q. You realize that there -- are you aware of</p> <p>4 a federal -- of a court case against them that upheld</p> <p>5 the remove -- their removal?</p> <p>6 A. Yes, I do.</p> <p>7 Q. Okay. And you still think it's a coup?</p> <p>8 A. It was an orchestrated -- it was</p> <p>9 orchestrated.</p> <p>10 Q. Result --</p> <p>11 A. They were -- they were removed -- yeah, I</p> <p>12 do believe that it was still a coup, yes.</p> <p>13 Q. Excuse me, Ms. Carter. And that</p> <p>14 orchestration extends all the way up to the state and</p> <p>15 federal court system?</p> <p>16 A. I believe that that was a little bit</p> <p>17 different, that was over property of what the union,</p> <p>18 that -- that Stacy Martin, they sued him for a laptop I</p> <p>19 do believe.</p> <p>20 Q. Now, Ms. Carter, do you believe that even</p> <p>21 though you are not a union member, do you think you</p> <p>22 should still have say on how -- on union operations?</p> <p>23 A. If I'm paying still union dues to the</p> <p>24 local, I believe that I should still have a voice about</p> <p>25 where the money gets spent, yes.</p>
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<p>1 Q. Okay. What is your basis for saying that</p> <p>2 Planned Parenthood was the main contributor of finances</p> <p>3 to the women's march in DC?</p> <p>4 A. They were the headline sponsor of the</p> <p>5 march, and I've sent that information on to my</p> <p>6 attorney.</p> <p>7 Q. What is your basis, have you seen any of</p> <p>8 the financials?</p> <p>9 A. I haven't seen the financials. I just know</p> <p>10 that they were the ones that called for the march, them</p> <p>11 and some woman by the name of Sarsour or whatever her</p> <p>12 last name was. But Planned Parenthood was the main</p> <p>13 sponsor of the women's march.</p> <p>14 Q. And what is your basis for that testimony?</p> <p>15 A. The information that they had put out,</p> <p>16 Planned Parenthood.</p> <p>17 Q. Okay. And what information is that?</p> <p>18 A. That they were the ones that created or</p> <p>19 that called for the march. I sent this all to my</p> <p>20 attorney.</p> <p>21 Q. So fair to say that your basis for that</p> <p>22 testimony is documentation that has been turned over to</p> <p>23 your attorneys?</p> <p>24 A. Yes.</p> <p>25 Q. Is there any basis to that opinion?</p>	<p>1 A. I'm sorry?</p> <p>2 Q. Is there any other basis for that opinion?</p> <p>3 A. The other basis?</p> <p>4 Q. Is there any other basis for that opinion?</p> <p>5 Other than the documentation you've turned over to your</p> <p>6 attorneys.</p> <p>7 A. The rest of the march was basically all</p> <p>8 about productive rights so Planned Parenthood.</p> <p>9 Q. Did you attend the march?</p> <p>10 A. I left the day that the march was starting.</p> <p>11 Q. Okay. So what is your basis for forming</p> <p>12 the opinion about what occurred at the march?</p> <p>13 A. Because I was there while the women were</p> <p>14 coming in to the march and the signs that they were</p> <p>15 holding and it was basically a pro abortion versus pro</p> <p>16 choice. For the most part I'd say 98 percent of the</p> <p>17 march was that way.</p> <p>18 Q. Okay. And again you weren't at the march,</p> <p>19 were you?</p> <p>20 A. I was in DC in the same areas. I left that</p> <p>21 day.</p> <p>22 Q. Okay. So to answer my question, you didn't</p> <p>23 attend the march, correct?</p> <p>24 A. I did not attend the march, no, I did not.</p> <p>25 Q. So the foundation of your testimony that</p>

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1 you are providing is not based on any personal  
2 knowledge, is it?

3 A. Personal knowledge to see them coming in to  
4 the march, yes.

5 Q. You -- no -- you --

6 A. Marching, no.

7 Q. I'm asking specifically about the march  
8 itself.

9 A. No, except for what I saw on television  
10 after I got home.

11 Q. Okay. When did you hire Mr. Gilliam as  
12 your attorney?

13 A. I sought them out when I got my last chance  
14 agreement.

15 MR. GILLIAM: I'm going to instruct the  
16 client not to divulge any attorney-client  
17 communication.

18 MR. GREENFIELD: I'm just -- I'm just  
19 trying to figure out when you retained your attorney.

20 MR. GILLIAM: I would not -- I would -- I  
21 would say that that's also delving into attorney-client  
22 privilege.

23 MR. CORRELL: It absolutely is not,  
24 Counsel.

25 MR. GREENFIELD: When you were retained?

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1 A. It was the way that we communicated.  
2 Her -- her whole Facebook page at the very beginning,  
3 and you can still look it up, it says, "Audrey Stone  
4 TWU." She changed that name after she turned me in.  
5 That was the way she communicated to the membership  
6 when she was running for president and she had all of  
7 the stuff that, you know, her team was doing or was --  
8 was going to do and so on and so forth, that's how we  
9 communicated, and then through Messenger, there was  
10 Messenger -- or communication through other board  
11 members online through Facebook and Messenger.

12 Q. And I'm talking specifically about  
13 Ms. Stone, you describe it as "the way we  
14 communicated." Did Ms. Stone ever communicate with you  
15 personally via Facebook Messenger?

16 A. It -- she didn't communicate with me at all  
17 ever. Even if you called the office she wouldn't  
18 return your call.

19 Q. Are you aware of Ms. Stone having a email  
20 in her capacity as the union president?

21 A. Yes, and I sent her emails as well.

22 Q. Okay. And have you turned those over to  
23 your counsel for production?

24 A. I did. I did.

25 Q. And when was the last email you sent

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1 Yeah, how?

2 MR. CORRELL: That's not a communication  
3 between the lawyer and the client. He's -- we're  
4 allowed to know the date of retention.

5 MR. GILLIAM: You can know -- you can --  
6 you can tell them when you -- you retained me, but  
7 don't reveal any communications that we had.

8 THE WITNESS: Honestly I don't even know  
9 what the date was that I retained you guys.

10 BY MR. GREENFIELD:

11 Q. Okay. Was it before your termination?

12 A. No.

13 Q. Okay. In Exhibit 3, and we can pull it up  
14 or not, you mentioned in the 2015 timeline an attorney  
15 and you say, "My attorney says this is blatant  
16 discrimination."

17 Who are you talking about?

18 A. That was a family attorney that I had been  
19 sending stuff to that Brian Talbert was threatening me  
20 with, and told him to either cease and desist or I  
21 would -- you know, because he was -- basically it was  
22 character assassination, and once I told him that I was  
23 sending this to my attorney he stopped.

24 Q. The messages you sent to Ms. Stone, why did  
25 you send them to her on her personal Facebook page?

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1 Ms. Stone to her union email?

2 A. When they -- I do believe it was right  
3 before I was turned in, it had to do with, they don't  
4 like the National Right to Work Foundation and I have  
5 supported the National Right to Work Foundation, gosh,  
6 probably since 2009-2010, and they are considered what  
7 they -- the union likes to say are union busters, and  
8 for me, that they protect union -- I guess I should --  
9 for me what I understand for them is that they protect  
10 the members from the abuses of unions.

11 Q. Okay. And in -- per your testimony you  
12 became an objector in 2013, correct?

13 A. That is correct.

14 Q. All right. And you were terminated in  
15 2017?

16 A. That is correct.

17 Q. So your testimony is that it took Ms. Stone  
18 four years to find a way to retaliate against you to  
19 terminate you; is that correct?

20 A. That there -- the -- yes, it took her until  
21 then to finally was able -- because why didn't she ever  
22 return a call or communicate if it was so blatant that  
23 she, you know, claims that I was harassing her. I  
24 wasn't harassing her. I didn't like how the union was  
25 doing things and spending our money and she never

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<p>1 once -- and she could have blocked me if she wanted to,</p> <p>2 but she never once communicated to me even to ask me to</p> <p>3 stop or can we sit down and talk about the issues that</p> <p>4 you do not like, which, as far as I'm concerned a good</p> <p>5 leader would have done. That's what I would have done.</p> <p>6 I would not have harmed somebody to turn them in and</p> <p>7 got them fired even with these Facebook messages. And</p> <p>8 if I didn't like it I would have blocked her.</p> <p>9 Q. Okay. And do you think Jerry Lindermann</p> <p>10 and Chris -- do you think Jerry Lindermann was a good</p> <p>11 leader of the union?</p> <p>12 A. Jerry Lindermann was our accountant or</p> <p>13 whatever, he -- he had taken over John Parrott's</p> <p>14 position and as far as I knew, yes, they claim that he</p> <p>15 was supposedly stealing -- I think they said the same</p> <p>16 thing about Melissa Smith back in the day -- stealing</p> <p>17 money which was not true.</p> <p>18 Q. You describe it as not true, but are aware</p> <p>19 of a civil judgment against former -- the gentleman</p> <p>20 that you describe as "removed in a coup" for</p> <p>21 misappropriation of union funds and property?</p> <p>22 A. Are you talking about Stacy Martin or are</p> <p>23 you talking about Jerry Lindermann?</p> <p>24 Q. Stacy Martin. Excuse me.</p> <p>25 A. Stacy Martin, the reason that they took him</p>	<p>1 to court was because he had a laptop, and they sued him</p> <p>2 over a laptop they said belonged to the union.</p> <p>3 Q. I understand that's your opinion. Are you</p> <p>4 aware that there is a civil judgment for</p> <p>5 misappropriation of union funds and property against</p> <p>6 Mr. Martin?</p> <p>7 A. And that would have been the laptop, and</p> <p>8 yes, I do.</p> <p>9 Q. And you believe that also was a conspiracy?</p> <p>10 A. No, I don't believe that's a conspiracy.</p> <p>11 Q. Oh, you -- you believe that that was -- is</p> <p>12 true?</p> <p>13 A. I believe that he still had the laptop. I</p> <p>14 don't know per se all of the -- the -- which is really</p> <p>15 odd for a union to sue a member.</p> <p>16 Q. And, Ms. Carter, my questions are a little</p> <p>17 different. You are aware that a civil judgment exists,</p> <p>18 yes?</p> <p>19 A. And I believe he paid that civil judgment,</p> <p>20 correct?</p> <p>21 Q. My question is you are aware that that</p> <p>22 exists?</p> <p>23 A. Yes, I did, I -- I answered that.</p> <p>24 Q. But you -- you still believe that removal</p> <p>25 was a coup and that that was inappropriate and a</p>
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<p>1 conspiracy, correct?</p> <p>2 MR. GILLIAM: Objection. Compound.</p> <p>3 A. The laptop -- and I'm gonna answer this.</p> <p>4 The laptop was the way to go after him after they had</p> <p>5 removed him from the -- from his position.</p> <p>6 BY MR. GREENFIELD:</p> <p>7 Q. Okay.</p> <p>8 THE WITNESS: You can't have dinner yet.</p> <p>9 BY MR. GREENFIELD:</p> <p>10 Q. You described earlier that most that were</p> <p>11 vocal against her administration were turned in in</p> <p>12 regard to Audrey Stone.</p> <p>13 A. Yes.</p> <p>14 Q. There -- what is your basis for that</p> <p>15 testimony? I mean there was -- there were thousands of</p> <p>16 signatures on the recall petition in your opinion,</p> <p>17 correct?</p> <p>18 A. It was -- it had to do with the most vocal.</p> <p>19 Q. Okay. And you don't believe signing a</p> <p>20 petition to recall her presidency is a vocal objection</p> <p>21 to her administration?</p> <p>22 A. Not everybody is on Facebook, I guess, and</p> <p>23 their -- their way of being able to harm people was</p> <p>24 through social media.</p> <p>25 Q. Okay. And are you aware of any other</p>	<p>1 objectors and/or people who opposed her administration</p> <p>2 who were treated unfairly, can you please list those</p> <p>3 people for me?</p> <p>4 A. I could probably get you a list, but I</p> <p>5 don't have a list per se right now. The ones that I</p> <p>6 have mentioned are the ones that I do recall. But I</p> <p>7 think I could probably get a list.</p> <p>8 Q. Yes, that would be great. Please. Please</p> <p>9 provide that.</p> <p>10 But as you sit here today --</p> <p>11 A. I may -- I may have turned some of that</p> <p>12 over to my attorney.</p> <p>13 Q. As you sit here today, there's no one else</p> <p>14 you can remember that you haven't discussed already?</p> <p>15 A. Not -- not right at the moment, no. I</p> <p>16 cannot recall.</p> <p>17 Q. Are you aware of any other objectors that</p> <p>18 you believe Ms. Stone tried to get fired other than</p> <p>19 yourself?</p> <p>20 A. Holly Immamovic.</p> <p>21 Q. You believe Ms. Stone tried to get Holly</p> <p>22 Immamovic fired?</p> <p>23 A. She did get her fired.</p> <p>24 Q. Okay. What is your basis for that</p> <p>25 testimony?</p>

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<p>1 A. On who she told me who turned her in.</p> <p>2 Q. Okay. It's your testimony that Audrey</p> <p>3 Stone turned Holly Immamovic in for a social media</p> <p>4 violation?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And how do you -- and that's based</p> <p>7 on Ms. Immamovic told you that, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Do you have any personal knowledge</p> <p>10 that Ms. Stone turned Ms. Immamovic in for a social</p> <p>11 media violation?</p> <p>12 A. No.</p> <p>13 Q. Anyone else that you believe Ms. Stone</p> <p>14 tried to get fired?</p> <p>15 A. Jeanna Jackson.</p> <p>16 Q. What is your evidence that Ms. Stone tried</p> <p>17 to get Jeanna Jackson fired?</p> <p>18 A. She was one who turned Jeanna in on a</p> <p>19 violation.</p> <p>20 Q. On a social media violation?</p> <p>21 A. I believe so, yes.</p> <p>22 Q. And what is your basis for -- for that</p> <p>23 testimony?</p> <p>24 A. Jeanna told me.</p> <p>25 Q. Did Jeanna tell you how she found that out?</p>	<p>1 A. Through her -- I believe her fact-finding</p> <p>2 meeting.</p> <p>3 Q. Okay. Are you -- and how did Ms. Immamovic</p> <p>4 find out that Ms. Stone allegedly turned her in for</p> <p>5 social media violations?</p> <p>6 A. That I do not know.</p> <p>7 Q. Are you claiming as part of your lawsuit</p> <p>8 that the union did not represent you properly during</p> <p>9 the fact-finding meeting?</p> <p>10 A. During the fact-finding meeting? Chris</p> <p>11 Sullivan was amazing.</p> <p>12 Q. And he was provided to you by the union,</p> <p>13 correct?</p> <p>14 A. Yes. But I wouldn't have been there if</p> <p>15 Audrey hadn't turned me in.</p> <p>16 Q. All right. That wasn't my question. I</p> <p>17 appreciate that, Ms. Carter.</p> <p>18 My question was, Mr. Sullivan was there on</p> <p>19 behalf of the union to represent you, correct?</p> <p>20 A. Chris Sullivan was there on behalf of the</p> <p>21 union on his -- yes, to represent me.</p> <p>22 Q. And did an amazing job?</p> <p>23 A. He did, yes.</p> <p>24 Q. All right. And what about step 2?</p> <p>25 A. Step 2, Beth Ross and Becky Parker. I did</p>
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<p>1 all of my step 2.</p> <p>2 Q. Are you claiming as part of your lawsuit</p> <p>3 that the union did not represent you properly during</p> <p>4 your step 2 hearing?</p> <p>5 A. I represented myself for the most part in</p> <p>6 my step 2. I did all of the research and brought forth</p> <p>7 all of the information. Becky and Beth did not. They</p> <p>8 were just there as representatives.</p> <p>9 Q. Okay. And that's -- I appreciate you</p> <p>10 elaborating. My question is a little bit different.</p> <p>11 Are you claiming as part of this lawsuit that the union</p> <p>12 did not properly represent you during your step 2</p> <p>13 hearing?</p> <p>14 A. They were there and represented me, yes.</p> <p>15 Q. Okay. That's still not answering my</p> <p>16 question, ma'am. My question is as part of this</p> <p>17 lawsuit are you claiming that the union did not</p> <p>18 represent you properly during your step 2 hearing?</p> <p>19 A. They represented me properly, both Becky</p> <p>20 and Beth.</p> <p>21 Q. And you previously testified that the</p> <p>22 process was fair and complete, correct?</p> <p>23 A. With --</p> <p>24 MR. GILLIAM: The --</p> <p>25 THE WITNESS: Go ahead.</p>	<p>1 BY MR. GREENFIELD:</p> <p>2 Q. Is that correct -- was fair and complete?</p> <p>3 MR. GILLIAM: Objection, vague.</p> <p>4 A. Within my second step meeting, yes.</p> <p>5 BY MR. GREENFIELD:</p> <p>6 Q. Okay. And that it was Southwest who made</p> <p>7 the decision to terminate you, correct?</p> <p>8 A. I believe it was Ed Schneider.</p> <p>9 Q. Okay. And do you have any evidence that</p> <p>10 the union made the decision to terminate you?</p> <p>11 A. No.</p> <p>12 Q. Okay. Are you claiming as part of this</p> <p>13 case that the union discriminated against you during</p> <p>14 your grievance process?</p> <p>15 A. Can you repeat that?</p> <p>16 Q. Yeah. Are you claiming as part of your</p> <p>17 lawsuit that the union is discriminating --</p> <p>18 discriminated against you during your grievance process</p> <p>19 in either the fact-finding or step 2 hearing?</p> <p>20 A. No, neither on those two.</p> <p>21 Q. Okay. Now are you claiming that the union</p> <p>22 didn't represent you properly because of your religious</p> <p>23 beliefs at the step 2 or fact-finding meeting?</p> <p>24 A. Neither on those two.</p> <p>25 Q. Are you aware of any other individuals who</p>



<p style="text-align: right;">Page 269</p> <p>1 have -- who allegedly haven't been treated properly by</p> <p>2 the union because of their religious beliefs?</p> <p>3 A. Any other people? I'm sorry? Can you</p> <p>4 repeat that?</p> <p>5 Q. Yes, ma'am. Any -- any -- are you aware of</p> <p>6 any other individuals who are -- who haven't been</p> <p>7 treated properly --</p> <p>8 MR. CLOUTMAN: I lost completely my TV set.</p> <p>9 A. He -- I heard -- I heard somebody else over</p> <p>10 you.</p> <p>11 Have I heard anybody else being not being</p> <p>12 represented equally, is that --</p> <p>13 BY MR. GREENFIELD:</p> <p>14 Q. Yes. Are you aware of any individuals who</p> <p>15 haven't been treated properly because of their</p> <p>16 religious beliefs by the union?</p> <p>17 A. I don't have any information on that.</p> <p>18 Q. Okay. Are you claiming that the union</p> <p>19 didn't -- didn't provide you some sort of</p> <p>20 accommodation?</p> <p>21 A. That the union afforded me some</p> <p>22 accommodation.</p> <p>23 Q. Are you claiming as part of your lawsuit</p> <p>24 that the union didn't provide you with a religious</p> <p>25 accommodation?</p>	<p style="text-align: right;">Page 270</p> <p>1 A. No, they did not.</p> <p>2 Q. They did not provide you a religious</p> <p>3 accommodation?</p> <p>4 A. They did not provide me a religious</p> <p>5 accommodation.</p> <p>6 Q. Did you request a religious accommodation</p> <p>7 from the union?</p> <p>8 A. I didn't know I had to.</p> <p>9 Q. So the answer to my question is no, you did</p> <p>10 not request a religious accommodation from the union?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. Are you aware of any other</p> <p>13 individuals that the union has not accommodated -- who</p> <p>14 has not -- not provided a religious accommodation?</p> <p>15 A. I do not have that knowledge.</p> <p>16 Q. Okay. Are you aware if you filed an EEOC</p> <p>17 charge for religious discrimination against the union?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Okay. And you provided that documentation?</p> <p>20 A. Yes, I did.</p> <p>21 THE WITNESS: I can't do it right now. I</p> <p>22 know. I know.</p> <p>23 BY MR. GREENFIELD:</p> <p>24 Q. Is it your testimony that -- when was</p> <p>25 the -- okay. Let me take a step back.</p>
<p style="text-align: right;">Page 271</p> <p>1 When was the last time you communicated</p> <p>2 with Mr. Chris Click regarding anything related to your</p> <p>3 case?</p> <p>4 A. I can't recall. I think we just answered</p> <p>5 all of these questions. I don't remember. It's been a</p> <p>6 while. It's probably been over a year ago.</p> <p>7 Q. Okay. And if Mr. Click was to testify</p> <p>8 otherwise, would that be a lie or inaccurate</p> <p>9 information?</p> <p>10 A. I would imagine it would be the accurate</p> <p>11 information. I just don't remember exactly when the</p> <p>12 last time I talked to him was. I haven't talked to him</p> <p>13 in a long time.</p> <p>14 Q. Have you talked to him about your lawsuit?</p> <p>15 MR. GILLIAM: Objection, asked and</p> <p>16 answered.</p> <p>17 BY MR. GREENFIELD:</p> <p>18 Q. You can answer.</p> <p>19 A. I'm sorry?</p> <p>20 Q. Have you ever discussed the factual basis</p> <p>21 of your lawsuit with Mr. Click?</p> <p>22 MR. GILLIAM: Objection, asked and</p> <p>23 answered.</p> <p>24 A. Not the --</p> <p>25 MR. GILLIAM: You can answer.</p>	<p style="text-align: right;">Page 272</p> <p>1 A. Not the factual basis. He knows my lawsuit</p> <p>2 is going on. He knows about the lawsuit. He's read</p> <p>3 the lawsuit.</p> <p>4 BY MR. GREENFIELD:</p> <p>5 Q. Have you communicated with Mr. Click via</p> <p>6 text message about the lawsuit?</p> <p>7 A. Only when it became public knowledge, yes.</p> <p>8 Q. You did communicate with mister -- and when</p> <p>9 do you believe that it became public knowledge? What</p> <p>10 does that mean?</p> <p>11 A. That would have been back in -- gosh,</p> <p>12 whenever it was filed. I don't remember the date right</p> <p>13 off the top of my head.</p> <p>14 Q. Okay. And what did you discuss with</p> <p>15 Mr. Click via text message?</p> <p>16 A. Just the fact that it had been filed and</p> <p>17 then he read it.</p> <p>18 Q. And have you provided those text messages</p> <p>19 between Mr. Click and your -- and yourself to your</p> <p>20 counsel?</p> <p>21 A. I've provided all of my text messages and</p> <p>22 my emails and so forth, my attorneys have all of that.</p> <p>23 I turned that over almost two years ago, a year ago,</p> <p>24 whenever it was.</p> <p>25 Q. Did you delete any conversations, text</p>

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<p>1 conversations between you and Mr. Click regarding</p> <p>2 anything to do with your lawsuit?</p> <p>3 A. No, I did not.</p> <p>4 Q. Do you have text messages that counter that</p> <p>5 opinion is what would be -- how would you feel about</p> <p>6 that?</p> <p>7 A. If I had what? I'm sorry.</p> <p>8 Q. If Mr. Click has text messages that</p> <p>9 contradict that?</p> <p>10 A. Then I don't remember --</p> <p>11 MR. GILLIAM: Can you --</p> <p>12 THE WITNESS: I'm sorry?</p> <p>13 MR. GREENFIELD: I'll move on.</p> <p>14 All right. If I can just have a couple of</p> <p>15 minutes off I think I should be able to wrap up.</p> <p>16 VIDEOGRAPHER: We are going off the record</p> <p>17 at 4:28 p.m.</p> <p>18 (Break from 4:28 p.m. until 4:33 p.m.)</p> <p>19 VIDEOGRAPHER: We are going back on the</p> <p>20 record at 4:33 p.m.</p> <p>21 MR. GREENFIELD: All right. Ms. Carter,</p> <p>22 we're getting ready to wrap up and turn it over to your</p> <p>23 attorney for any questions he has. I just have a</p> <p>24 couple more and I really do want to thank you for your</p> <p>25 time today. I know it's a really long day and so I</p>	<p>1 appreciate you being here.</p> <p>2 BY MR. GREENFIELD:</p> <p>3 Q. The last kind of thing I want to talk about</p> <p>4 is you have a claim for damages against the union in</p> <p>5 this lawsuit similar to what Mr. Correll asked you</p> <p>6 about in regard to Southwest Airlines as well.</p> <p>7 What is it that you believe the union is</p> <p>8 responsible for for any damages you may be seeking at</p> <p>9 trial?</p> <p>10 A. I can't really put a number on that at the</p> <p>11 moment. Like I said, my 20-year career, you can't put</p> <p>12 a number on that.</p> <p>13 Q. Okay. You understand that the union can't</p> <p>14 get your job back for you, correct?</p> <p>15 A. The union is what created my job loss.</p> <p>16 Q. Okay. But you understand ultimately</p> <p>17 Southwest Airlines is your employer, correct -- was</p> <p>18 your employer, correct?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And so being able to get you your</p> <p>21 position back there is outside of the union's hands,</p> <p>22 you understand that?</p> <p>23 A. I understand that at this point, but they</p> <p>24 were the ones that actually created this and got my job</p> <p>25 taken away from me.</p>
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<p>1 Q. I appreciate how you feel, I understand,</p> <p>2 Ms. Carter, I appreciate that.</p> <p>3 And so essentially the emotional damages at</p> <p>4 center that you discussed with Mr. Correll earlier, is</p> <p>5 there anything that you would attribute to your</p> <p>6 termination that we haven't discussed?</p> <p>7 A. No.</p> <p>8 Q. And you believe the union is in part</p> <p>9 responsible as well as Southwest for those damages,</p> <p>10 correct?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And do you believe we should share</p> <p>13 that burden jointly or how do you -- or do you think</p> <p>14 one of us is more responsible than the other here?</p> <p>15 MR. GILLIAM: Objection to the extent it</p> <p>16 calls for a legal conclusion. You can answer it if you</p> <p>17 can.</p> <p>18 A. I think you both share a responsibility in</p> <p>19 it.</p> <p>20 BY MR. GREENFIELD:</p> <p>21 Q. Okay. All right. Is there anything</p> <p>22 related to what you're trying to recover in this</p> <p>23 lawsuit against the union that was not discussed</p> <p>24 earlier in regard to Southwest?</p> <p>25 A. No.</p>	<p>1 MR. GREENFIELD: Okay. At this time I'll</p> <p>2 reserve the rest of my questions for the time of trial</p> <p>3 and pass the witness to you, Mr. Gilliam.</p> <p>4 MR. GILLIAM: I -- sorry. I have no</p> <p>5 questions.</p> <p>6 VIDEOGRAPHER: Okay. We are going off the</p> <p>7 record at 4:36 p.m.</p> <p>8 -o0o-</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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1	CHANGES AND SIGNATURE	1	I, CHARLENE CARTER, have read the foregoing
2	WITNESS: CHARLENE CARTER	2	deposition and hereby affix my signature that same is
3	DATE: November 20, 2020	3	true and correct, except as noted above.
4	Page/Line Change Reason	4	
5		5	_____
6		6	CHARLENE CARTER
7		7	STATE OF _____)
8		8	COUNTY OF _____)
9		9	
10		10	Before me _____ on this day
11		11	personally appeared CHARLENE CARTER, known to me (or
12		12	proved to me on the oath of _____ or
13		13	through _____ (description of identity card
14		14	or other document)) to be the person whose name is
15		15	subscribed to the foregoing instrument and acknowledged
16		16	to me that he executed the same for the purposes and
17		17	consideration therein expressed.
18		18	Given under my hand and seal of office this
19		19	_____ day of _____, _____.
20		20	
21		21	_____
22		22	Notary Public in and for the
23		23	State of _____
24		24	
25		25	

  

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1	REPORTER'S CERTIFICATION	1	I further certify that I am neither counsel
2	DEPOSITION OF CHARLENE CARTER	2	for, related to, nor employed by any of the parties or
3	November 20, 2020	3	attorneys in the action in which this proceeding was
4	I, Joseph D. Hendrick, Notary Public and	4	taken;
5	Certified Shorthand Reporter in the State of Texas,	5	Further, I am not a relative or employee of
6	hereby certify to the following:	6	any attorney of record, nor am I financially or
7	That the Witness, CHARLENE CARTER, was duly	7	otherwise interested in the outcome of the action.
8	sworn by the officer and that the transcript of the	8	Subscribed and sworn to on this date:
9	oral deposition is a true record of the testimony given	9	December 8, 2020.
10	by the witness;	10	
11	I further certify that pursuant to FRCP	11	
12	Rule 30(f)(1) that the signature of the deponent:	12	
13	X was requested by the deponent or	13	
14	a party before the completion of the deposition and is	14	
15	to be returned within 30 days from date of receipt of	15	
16	the transcript;	16	
17	_____ was not requested by the	17	<%12550,Signature%>
18	deponent or a party before the completion of the	18	Joseph D. Hendrick, CSR #947
19	deposition;	19	Expiration Date: 04/30/2021
20	I further certify that the amount of time	20	Notary Comm. Exp. 01/13/23
21	used by each party is as follows:	21	Veritext Legal Solutions
22	Mathew B. Gilliam - 00:00:00	22	Firm Registration No. 571
23	Michael A. Correll - 04:54:50	23	300 Throckmorton Street, Ste. 1600
24	Adam S. Greenfield - 01:08:13	24	Fort Worth, TX 76102
25	Edward B. Cloutman III - 00:00:00	25	Telephone (800) 336-4000

1 Mbg@nrtw.org  
2 December 9, 2020  
3 RE: Carter, Charlen v. Southwest Airline Co & Transport  
4 DEPOSITION OF: Charlene Carter (# 4341722)

5 The above-referenced witness transcript is  
6 available for read and sign.

7 Within the applicable timeframe, the witness  
8 should read the testimony to verify its accuracy. If  
9 there are any changes, the witness should note those  
10 on the attached Errata Sheet.

11 The witness should sign and notarize the  
12 attached Errata pages and return to Veritext at  
13 errata-tx@veritext.com.

14 According to applicable rules or agreements, if  
15 the witness fails to do so within the time allotted,  
16 a certified copy of the transcript may be used as if  
17 signed.

18 Yours,  
19 Veritext Legal Solutions  
20  
21  
22  
23  
24  
25